APRIL 1990

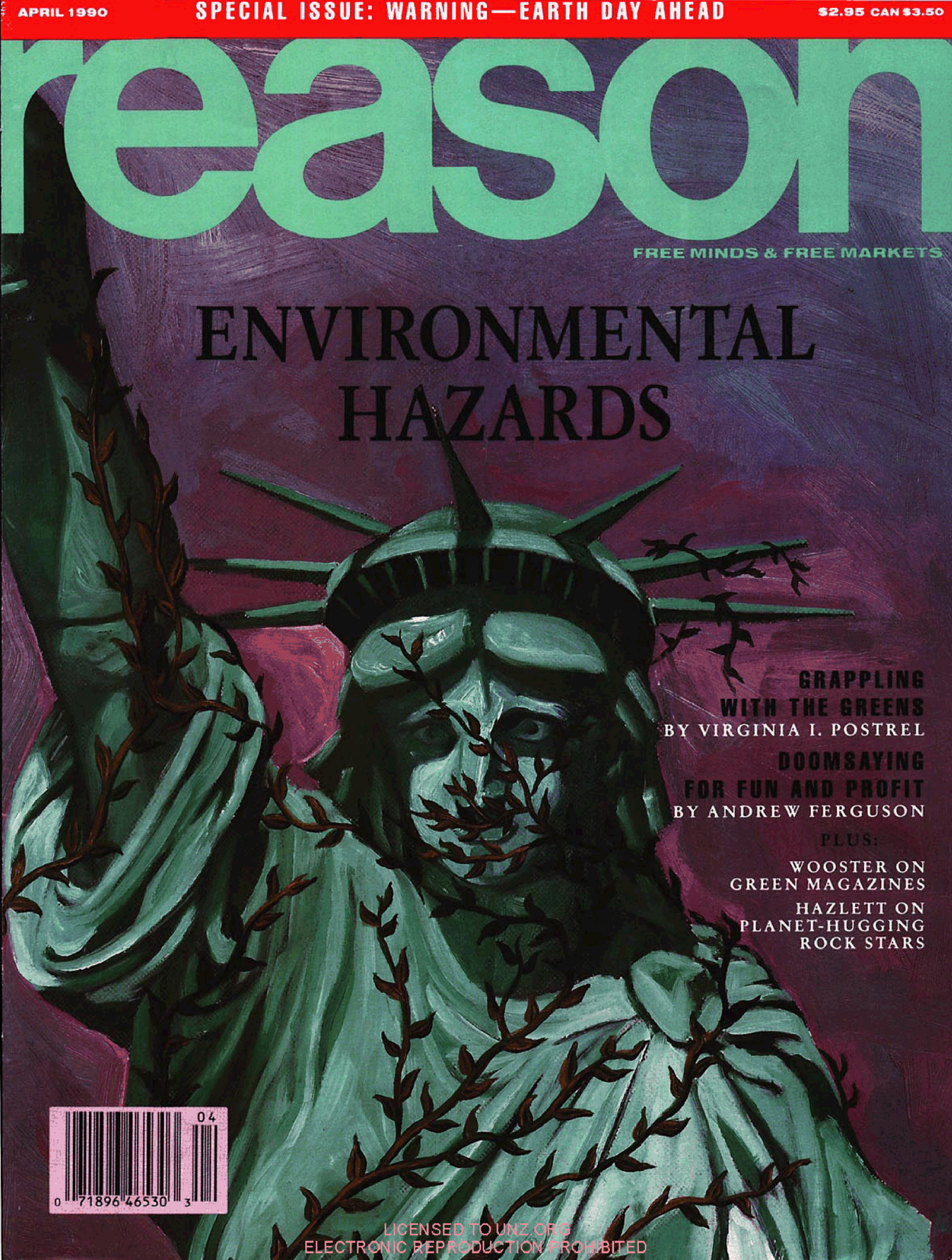
SPECIAL ISSUE: WARNING—EARTH DAY AHEAD

$2.95 CAN $3.50

reason

FREE MINDS & FREE MARKETS

ENVIRONMENTAL HAZARDS



GRAPPLING WITH THE GREENS
BY VIRGINIA I. POSTREL

DOOMSAYING FOR FUN AND PROFIT
BY ANDREW FERGUSON

PLUS:

WOOSTER ON GREEN MAGAZINES

HAZLETT ON PLANET-HUGGING ROCK STARS

0 71896 46530 3 04

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WHAT AILS HEALTH CARE

VIRGINIA I. POSTREL

Perennially troubled Chrysler Corp. is in financial difficulties again. And once again, it has turned to the federal government for help. But this time it isn't looking for anything as blatantly self-interested as a bailout.

This time, Chrysler wants national health insurance. To that end, the company has turned its employee benefits director, Walter B. Maher, into a full-time, Washington-based lobbyist. His mission: to cut company costs by foisting a good chunk of the Chrysler payroll onto the taxpayers.

The powers that be at Chrysler may be mediocre at designing, manufacturing, and selling cars, but they are good at politics. They know that whoever it is who decides these things has officially designated health care a "major problem" requiring "fundamental reforms." Full-fledged, Canadian-style national health insurance is Chrysler's preferred option. Also popular is some sort of government-mandated, employer-paid insurance scheme. George Deukmejian, California's usually fiscally and temperamentally conservative governor, recently proposed such a plan for the nation's largest state.

The health care crisis is a funny phenomenon. Everyone agrees a problem exists, but no one agrees on just what the problem is. Typical is the *Los Angeles Times* poll that found more than 90 percent of respondents were satisfied with their own health care, yet more than half said the entire health care system needs "many improvements" or "fundamental overhauling." If everybody's happy, what's the problem?

It is, to some extent, a media phenomenon—the kind of "crisis" we get along with peace and prosperity. To some critics, the problem is that too many people—37 million is the number usually tossed around—lack health insurance.

To others, like Chrysler's Maher, it's that employers are paying more and more for health insurance; increases of 12 to 18 percent a year are common. "If we continue with health care increasing at a rate that is twice or more than that of the CPI," writes Maher, "it's obvious that health care will consume GNP in 70 or 80 years."

It is, of course, silly to think that any single kind of good or service will swallow up GNP. But, like the blind pig who occasionally stumbles over an acorn, Maher has discovered the problem without seeing it.

What's wrong with health care isn't that we spend a lot of money on it. That's what you'd expect in an affluent society. It isn't even that we spend an *increasing* amount of money on it. Assuming that people want more health care as they get richer, that's what you'd expect in a growing economy. What's wrong with health care is that its cost is growing much faster than the cost of other goods. Health-care productivity—the amount of care delivered per dollar spent—just hasn't kept up with productivity in the economy as a whole.

The reason lies in the unfortunate similarity between the U.S. medical system and the Soviet economy. The feedback mechanisms that ordinarily reward increased productivity with increased profits just don't exist. Corporate takeovers don't shake out inefficient operating procedures. Patients rarely march out of the emergency room to find a cheaper supplier.

Some of these conditions are intractable. When you're sick, especially if you're seriously ill or suffering from severe injury, you're not likely to quibble about price. You do pretty much what the doctor orders and figure you'll pay the bill somehow. This situation would exist, to a greater or lesser degree, regardless of the public-policy environment.

But American health care would undoubtedly benefit from some *perestroika*. The question, as with the Soviet economy, is where to start.

Two-fifths of all medical care is financed by the government. Most of the rest is distorted by an income-tax system that makes employer-provided health insurance—unlike cash—tax free. More than 800 state laws tell health insurance providers what care they must cover. Nearly everyone who does anything in the health care business has to have some kind of license. Drugs are heavily regulated, both before and after FDA approval. The deep-pockets tort system has divorced malpractice suits from actual malpractice.

We can't get what we truly want—infinite amounts of the best care at no cost. Nobody gets that, not the Soviets, not the British, not the Canadians, not even the Swedes. One way or another, health care gets rationed: by queues, by money, by political pull, by bureaucratic fiat. Our only hope is to allow some fluidity and innovation back into the system, to create some incentives for creativity and productivity.

To start, we might consider a series of reforms that—unlike most of the plans on the table—would move things toward innovation rather than bureaucratic planning:

- Scrap Medicare and Medicaid. Give people vouchers and let them buy insurance in the private market. We can argue about whether the government ought to be guaranteeing health care but as long as it is, it should get out of the insurance business. Kaiser Permanente is much more

likely to analyze its operations and adopt productivity-increasing reforms than are thousands of independent hospitals getting a limitless stream of government dollars. The government tries cost controls, but Medicare is essentially an open-ended entitlement. Vouchers would make the Medicare budget predictable. Plus, if voucher recipients could cash in whatever they didn't use for insurance, they'd have an incentive to shop wisely.

• Make more drugs available over the counter. Economist Peter Temin of MIT estimates that making penicillin available over the counter would save more than $1 billion a year, mostly by reducing the number of visits to the doctor. (At the risk of giving women responsibility for their bodies, we might let them buy birth control pills without prescriptions.)

• Divert at least some medical-research dollars, both public and private, from finding ever-more-nifty cures to figuring out more cost-effective ways to deliver care. This doesn't mean degrading patient care—noninvasive procedures are cheaper than surgery, efficient records management better than sloppy—and, as in the case of birthing centers, patients may actually prefer less expensive options.

• Open up medicine to new providers. Make it easier for foreign-trained physicians to practice in the United States. Let nonphysicians legally perform more medical procedures. Don't grudgingly allow foreign nurses short-term, "crisis" visas; give them green cards.

• Restore individual responsibility for health insurance. Dump the tax exemption and cut payroll taxes to offset it. This wouldn't have a huge effect on health—a conservative estimate is that it would reduce the overall demand for medical services by between 4 percent and 6 percent—but it would improve incentives.

Wherever we start, we ought to keep one thought in mind: No one is smart enough to figure everything out beforehand. We've got to stop thinking we can pick an outcome and require it by law. That approach got us into this mess. The way out may be an old medical prescription: First do no harm.

SILENT NO MORE?

RICK HENDERSON

Samuel Pierce, former secretary of housing and urban development, could be in big trouble. Attorney General Dick Thornburgh has asked for an independent counsel to investigate allegations of wrongdoing during Pierce's eight-year tenure at HUD. "Silent Sam" is charged with using his influence as a member of the cabinet to funnel housing contracts to influential Republican friends. While it is too early to say whether Pierce and his top associates "conspired to defraud the United States government" (as the charges read), his accusers' tenacity speaks volumes about hypocrisy inside the Beltway.

As Ronald Reagan left the White House, Sam Pierce drew raves from free-market conservatives. The Heritage Foundation's *Mandate for Leadership III* said that Pierce was "the Reagan Cabinet member who probably most effectively transformed the Reagan mandate into reality." He accomplished much of what free marketeers desired: cutting wasteful programs, implementing market-oriented reforms in housing management, and delivering assistance to needy recipients instead of property developers and bureaucrats. During Pierce's term the number of families receiving housing assistance went up by 40 percent while the number of HUD employees dropped by by one-fourth.

Unfortunately, Pierce may have done his job too well. During previous administrations, HUD was a well-known source of easy money in exchange for congressional campaign contributions, but Reagan and Pierce cut some of its slushiest funds. The Section 8 Moderate Rehabilitation program—which ostensibly paid to refurbish existing housing units but actually lined the pockets of builders who contributed to campaigns—had its budget authorization cut by nearly 80 percent. (The independent counsel's investigation focuses on Section 8.) Pierce also shifted subsidies from new housing construction, which costs taxpayers $700 a month per family served, to vouchers, which deliver the same amount of housing for $300. In the process he cut off funding to builders who, the *New York Times* says, "profited from HUD programs started in Democratic administrations."

When the first stories about irregularities at HUD surfaced last summer, congressional oversight committees feigned shock and dismay. But smoking guns were everywhere. As Pierce entered office, a 1981 HUD audit reported *over 10,000* instances in which HUD contractors were paid for work not performed. The HUD inspector general's reports, internal audits sent to Congress every six months, openly recorded fraud and abuse throughout the department. The first page of each I.G. report recommended remedies that Congress never administered. Rep. Barney Frank (D.-Mass.), who chaired the Government Operations Housing subcommittee from 1983 through 1987, admits that he never read the I.G. reports.

Why did a lethargic Congress suddenly pay attention to HUD? Stuart Butler, director of domestic policy studies at Heritage, has noted that Pierce's budget cuts changed the rules for property developers who made campaign contributions. During the Carter administration, simply placing a phone call to the mayor and the local HUD office would land a federal contract; after Pierce cut funding for housing construction, developers had to pay James Watt and other heavyweight consultants six-figure sums to stay on the gravy train. Both Democrats and Republicans in Congress who have benefited from HUD payoffs

are angry that Watt got "their" money.

Sam Pierce is no dummy. He refused to testify before Congress last fall to avoid the lynch-mob atmosphere of the hearings. Any questions about his actions at HUD will be answered in court, where he will receive the same protection any alleged wrongdoer deserves. The independent counsel, who can investigate whatever he chooses, might even look into the influence peddling that went on in past administrations.

Current HUD Secretary Jack Kemp hasn't escaped the watchful eye of Congress: The *Times* reports that Kemp catches flak both for dealing directly with tenant groups instead of local government officials and for "insisting that at least 75 percent of the agency's money be spent on the poor."

If Samuel Pierce broke the law, he should be punished appropriately. But the congressional inquisition is little more than a show trial. Instead of pursuing red herrings, Congress should implement the type of systemic reforms that make further corruption less likely and less profitable.

CLEARING THE AIR

CHARLES OLIVER

From the reaction of environmentalists, you would think that George Bush had just announced that he wants to raze Yellowstone National Park and put a big smoke-belching factory on the site.

"It just shows that the Administration is still more concerned about polluters' profits than protecting the Earth from global warming," said the Sierra Club's Daniel Becker. The Worldwatch Institute's Christopher Flavin pronounced the President "a disappointment."

So what did Bush say to irritate the eco-elite? Well, he called for cautious but "thoughtful" action dealing with "climate change." And he repeatedly stressed that his policy would be "consistent with economic growth and free market principles." Shocking, huh?

Environmentalists demand immediate and far-reaching plans to combat climate change. James T.B. Tripp, general counsel of the Environmental Defense Fund, for example, insists on "a massive energy Marshall plan" to stop the greenhouse effect. But Tripp's call to limit oil imports and subsidize new alternate sources of energy is one of the more moderate plans pushed by the eco-alarmists. Richard Houghton and George Woodwell of Woods Hole Research Center have a more radical program for "50 percent reduction in the global consumption of fossil fuels, a halting of deforestation, a massive program of reforestation."

At the heart of this debate are two fundamentally different approaches to environmental policy. The eco-elite considers the environment above any other human concern. They want absolutely pure air and water and demand that the government enforce strict and detailed guidelines to achieve that purity. In this particular case, they demand a big government program to solve a problem that may not even exist: Climatologists have cautioned us that there is no clear-cut evidence of global warming.

The problems with this approach are two-fold. First, we cannot have absolute purity unless we dismantle industrial society. Manufacturing inevitably produces wastes. If we set our goals too high, if we try too hard to stop pollution, we can destroy our economy and ourselves. Consider, for example, the suggestion that we cut fossil fuel consumption by 50 percent. We just can't do this without eliminating the cars and planes and factories that burn fossil fuels.

Environmentalists seem to long for some Edenic past free of superhighways, smog, and toxic wastes. But the truth is that despite all the pollution around us, life expectancy is up, infant mortality is down, and our health is better than ever. The key to living longer is more economic progress, not less. We would be fools to give it up.

Second, even if their ends were more reasonable, the environmentalists' methods are lousy. Assuming that some central planner in Washington can dictate the best way to reduce pollution is ridiculous; these guys can't even deliver the mail on time.

But George Bush has offered a different vision of environmental policy. Recognizing that a clean environment is not the only thing people value, he speaks of the need to balance ecological concerns with economic progress and set realistic goals for cutting pollution.

Realizing that government doesn't have all the answers, he has shown a willingness to use market forces to clean the environment. His clean air bill, for example, sets emissions goals for coal-burning plants but allows polluters to decide how to meet the goals, a strategy long favored by economists. This approach forces polluters to search for the least costly ways to control pollution.

Most of us have concerns a little more mundane than saving the world. We are raising children, paying mortgages, and trying to get ahead in life. We want clean air and water also, but we must balance it with these other concerns. The eco-elite may not understand this, but George Bush does.

Summer internship: In memory of its longtime friend and trustee, the Reason Foundation has established the Burton C. Gray Memorial Internship at REASON. Interns will spend a a minimum of 10 weeks working for REASON and will receive a stipend of $2,500. Interested college students should send a résumé and writing samples to Virginia Postrel by April 20. The Reason Foundation thanks those donors whose contributions in memory of Burton Gray made this program possible.

REASON

Publisher Robert W. Poole, Jr.

Editor Virginia I. Postrel

Assistant Editors Charles Oliver
Jacob Sullum
Washington Editor Martin Morse Wooster
Art Director Andrea Reibsamen
Production Editor Eric K. Gill
Book Review Editor Lynn Scarlett
Researcher-Reporter Rick Henderson
Editorial Assistant Francene C. Hill

Advertising Director Jack Dean
Circulation Director Steve Willard
Public Affairs Director Kevin D. Teasley

Contributing Editors
Doug Bandow *Tom Bethell*
James Bovard David Brudnoy
Steven Hayward Thomas W. Hazlett
David R. Henderson T. A. Heppenheimer
John Hood Loren Lomasky
Michael McMenamin Steven W. Mosher
Peter Samuel Thomas Szasz
William Tucker Paul H. Weaver
Walter E. Williams Karl Zinsmeister

Editorial, Advertising, and Production Offices
2716 Ocean Park Blvd., Suite 1062
Santa Monica, CA 90405
(213) 392-0443

Washington Office
P.O. Box 8093
Silver Spring, MD 20907
(301) 565-7820

Circulation Service
P.O. Box 3724
Escondido, CA 92025-9658

Founding Editors:
Manuel S. Klausner, Tibor R. Machan,
Robert W. Poole, Jr.

REASON is published by the Reason Foundation, a 501(c)(3) nonprofit educational foundation engaged in public-policy research. Contributions to the Reason Foundation are tax-deductible. For further information, contact the public affairs director.

Reason Foundation

Trustees: Bernard Baltic, Frank Bond, Joseph E. Coberly, Joseph H. Coulombe, Tony Jackson, Norman Karlin, David H. Keyston, Manuel S. Klausner, David H. Koch, Robert W. Smiley, Jr.

President: Robert W. Poole, Jr.
Executive Director: J. Harris Dean
Director of Public Affairs: Kevin D. Teasley
Director, Local Government Center: Philip E. Fixler, Jr.
Director of Research: Lynn Scarlett
Director of Educational Programs: Greg Rehmke
Research Fellow: William D. Eggers
Bookkeeper: Ellen Baker
Staff Assistant: David W. Meleney
Legal Adviser: Don Franzen

LETTERS

Things Heat Up

T.A. Heppenheimer missed the point in debunking the greenhouse effect ("Learning to Live with the Greenhouse Effect," Jan.) by saying that it isn't too bad. What he should be saying is: Does the increase in carbon dioxide increase the world temperature, or is it negated by the increase in clouds?

Changes in earth temperature occur because of: 1) variations in the sun (the so-called Maunder Minimum and Maximum); 2) periodicity of the earth's orbit (Milankovitch cycle); or 3) wobbling of the earth (changes in the ocean currents).

The Maunder Minimum evidently gave us the "Little Ice Age" of the 1600s. The Milankovitch theory, since confirmed, showed that the variations in orbit coincided with various glacial and interglacial eras. Inherent wobbling has caused changes in the ocean currents that really control temperature.

Evidently some "scientists" frighten bureaucrats with scary, simplified computer models in order to get funds for further so-called research.

Richard Freudenheim
South Orange, NJ

ALTHOUGH THE POSSIBILITY of significant global warming in the near future does call for scientific study to provide a basis for action, rather than a stampede into expensive and quite likely useless government programs, T.A. Heppenheimer's complacency is unjustifiable.

Besides enormous economic losses and attendant political upheavals, warming would bring a whole set of ecological catastrophes. It is simply not true that wildlife, plant and animal, can migrate to more congenial climes. Nature is no longer a continuum, but for the most part survives, barely, in enclaves surrounded by uncrossable human-occupied territories.

Heppenheimer is dead wrong when he says that the earth's free oxygen comes mostly from the breakdown of water by sunlight. Were that the case, this planet would long since be as dry as Venus, where the process evidently did go on. Our upper atmosphere provides a "cold trap," through which very little water vapor can pass. Without plant life, both oxygen and nitrogen would be locked up in mineral compounds.

One need not be an "environmentalist" to be concerned about the biosphere. One need only be interested in the survival of the human species.

Poul Anderson
Orinda, CA

I FOUND T.A. HEPPENHEIMER'S "Keep Your Cool" doubly disappointing. First, Heppenheimer assumes that the computer models predicting global warming are "quite believable," or at least more believable than the Club of Rome study and nuclear winter. (What, short of a gypsy's palm, isn't?)

But these models are not the only ones, nor would their predictions pass muster if normal scientific standards were applied. All we know with reasonable certainty is that the carbon dioxide content of the atmosphere is increasing, and that carbon dioxide plays a role in a process trapping heat—if not overpowered by other processes.

The main contradiction is the historical record of carbon dioxide content (from ice drillings, organic seabed debris, and other sources), which shows large fluctuations but little correlation with temperature. There are rival theories, many of which take due note of nature's built-in regulatory feedback loops. For example, in Prof. Idso's well-researched theory, the trapped heat leads to more evaporation and more water vapor in the

atmosphere, keeping more of the total solar influx out in the first place, and resulting in short-term cooling before the balance is restored.

Nor is it even clear whether there has been any significant warming over the last 100 years. By the data such as they are, there has been none over the United States, and as for global temperatures, they are now being challenged because of their gross unreliability in both measurement methods and paucity of measurement points.

There are other substantial difficulties with the theory (termites and cattle would each produce more warming than fossil fuel burning), but let me go on to the second and deeper disappointment I felt over the article. The current crusades against nuclear power, asbestos, chemicals, food irradiation, power lines, pesticides, etc., have not only a strong anti-technology and anti-industry, but also a strong anti-capitalist, component. (Why do those who eagerly push the global-warming-by-fossil-fuels theory rarely recommend replacing fossil fuels with nuclear power?) There is no need to assume that the coercive, statist, back-to-nature crowd is always wrong (they're not that good); it is enough to take a look at what the opposition says.

According to the Sunday supplements, there isn't any opposition, other than that of the profit-greedy corporations. But there is: Prof. Idso of Arizona State, Dr. Elsaesser of Lawrence Livermore National Lab, Prof. Singer of the University of Virginia, Prof. Lindzen of MIT, to mention only four of many more geophysicists and climatologists who have published significant objections. Their rebuttals do not get a hearing in the popular press because they do not preach doomsday and deindustrialization.

Heppenheimer's article, I will readily concede, did not preach them either; however, it implied that it is only the alleged consequences and touted policies, not the theory itself, that may be mistaken. But when REASON publishes an article on a theory pushed by the collectivist deindustrializers, one somehow assumes that its author has not blindly parroted the conventional assumptions, and has checked out any significant counterarguments. If a REASON feature article accepts such a theory, many laymen may feel, it must be true even if it is abused by the anticapitalist deindustrializers for their own ends.

Alas, in this case that would be the wrong conclusion, and I therefore think the article was a disservice to free minds and free markets.

Petr Beckmann
Boulder, CO

Mr. Heppenheimer replies: My thanks go to Poul Anderson, to begin, for making it clear why I wrote the piece. Trendy talk of "ecological catastrophes" and fashionable concern for "the survival of the human species" (which was doing fine the last time I looked) is just the sort of non-thought I seek to attack. Certainly a climate warming will not be roses all the way; the consequences will be real and serious. But they need not be the stuff of panic.

To Petr Beckmann, see the article by Houghton and Woodwell in *Scientific American*, April 1989, for curves showing a good correlation between carbon dioxide levels and ancient temperatures. Also, I would love to see the views of Idso, Elsaesser, *et al.*, become the established consensus of the atmospheric-science community. Unfortunately, they aren't. The establishment consensus is based on five major computer models, four in this country and one in Great Britain, which produce the predictions I cite. That is why I take climate warming seriously.

I invite Richard Freudenheim to distinguish between solar and orbital effects, which would give rise to the next ice age, and atmospheric effects that can bring on the global warming. His mention of effects due to clouds refers to a point noted in my article: that disagreement over these effects leads to differences in the predictions of the various atmosphere models, but the consensus within the atmospheric-science community is that cloud effects do not negate or cancel out the warming.

Poul Anderson expresses interest in my assertion that most atmospheric oxygen ultimately comes from sea water. The mechanism for this involves more than mere evaporation of water. Rather, the water vapor rises high in the atmosphere, where solar ultraviolet breaks its molecules into hydrogen and oxygen. The hydrogen, being light, escapes; the heavier oxygen stays behind.

Anderson challenges me here by pointing to a "cold trap": a region of extreme cold in the stratosphere that water vapor cannot readily rise above. This cold trap certainly slows the process of oxygen formation. However, there is a great deal more oxygen in the atmosphere than can be accounted for, chemically, by even the most generous estimates of fossil-fuel reserves. If plant respiration were the dominant source of oxygen, then there would be a chemical balance between the quantities of oxygen and fossil fuels. The great imbalance, in favor of oxygen, argues to me in favor of a nonbiologic origin—dissociation of water vapor—for most of this gas.

Responsive Readers

It was an honor to find my book, *Free Persons and the Common Good*, reviewed by REASON ("Capitalism and Community," Jan.), and especially by a writer I esteem as much as Paul Heyne. It was comforting to find "persistence, skill, and courage" attributed to me and a generally good review.

I very much appreciated being praised by Prof. Heyne, but I would not want it to be at the expense of the Catholic tradition, of which Prof. Heyne inadvertently spoke much too ill. Does he really think that "Catholics and other Christian thinkers have in fact made no contributions of genuine importance to the development of liberal democracy"? It shows too much contempt to ask "What can we really

Communicate with REASON
We appreciate receiving your letters, typed double-space and limited to 200 words. Letters sent to REASON will be considered for publication (unless otherwise noted) and may be subject to abridgement or editorial comment.
2716 Ocean Park Blvd., Suite 1062
Santa Monica, CA 90405

expect to learn about freedom from that tradition?" And it is historically wrong, wildly wrong, to hold that few "Christian theologians or bishops entertained anything but contempt for the notion of human dignity prior to the democratic revolution of modern times."

Surely, in boasting of the practical achievements of the classical liberals, especially in the invention of new institutions, one does not have to believe that they appeared in history through some immaculate conception, owing nothing whatever to the intellectual inheritance of Judaism and Christianity. In *The Roots of Order*, Russell Kirk is far more penetrating in his grasp of the presuppositions that our liberal forebears worked with. For that matter, so was Lord Acton, in his *History of Liberty*.

My own studies suggest to me that, regarding the practical institutions of politics and economics, the classical liberal tradition was wiser; whereas, regarding the basic principles of ordered liberty and the concepts of character, the virtues, conscience, person, friendship, and community, the Catholic tradition is wiser.

Michael Novak
Washington, DC

PAUL HEYNE BROADLY SUGGESTED that the Catholic Church has historically demonstrated little regard for human dignity and little understanding of natural liberty. As the instrument Jesus Christ founded for the salvation of souls, however, the church is by definition concerned with upholding and promoting the dignity of man. Through its infallible teachings on faith and morals, administration of God's sacraments and general pursuit of justice, the church has diligently pursued the sanctification of men and women for 2,000 years.

Indeed, there have been Christian leaders who have unjustly used their authority. But many more have been those who in thought, word and deed have striven to conform with Christ's Gospel, many times at the price of their own lives. I charitably suggest Mr. Heyne do a thorough reexamination of church history, including the lives of the popes and such saints as Francis of Assisi.

In addition, Heyne said the church's "principal representatives have shown, at least until very recently, almost no understanding of...what Adam Smith called 'the obvious and simple system of natural liberty.' "

The church always has recognized the concept of free will, though it has noted natural rights come with responsibilities, which involve respecting the rights of others. And the church also has made the proper distinction that a choice to sin is an abuse of liberty, not a God-ordained right.

Furthermore, unlike moral relativists, whose misunderstandings of freedom have engendered the bondage of man in sin, the church has understood man's dignity and freedom are most fulfilled when he lives in accordance with the moral absolutes of God's natural law. St. Thomas Aquinas would be good reading concerning man's freedom and its proper use.

As regards matters of economics, the church claims no infallibility, though it does know something about the moral principles on which commerce should be based. As reflected in Pope John Paul II's encyclical, *On Social Concerns*, the church upholds the right to private initiative but deplores business practices in which the pursuit of profits subverts the dignity of workers and others concerned.

Thomas J. Nash
Cheshire, CT

PAUL HEYNE (and possibly Michael Novak) conveniently ignores one of the two major branches of Christianity: Protestantism. One of the rallying cries of the Reformation was "Sola Scriptura." This meant that scriptures could say to the church "you are wrong."

Many did take a stand against oppressive church and state forces. Many died, often at the hands of mainline reformers or followers (Luther, Calvin, Zwingli...). They were put to death for such treasonous acts as advocating pacifism, questioning church authority, arguing for a total separation of church and state, and for claiming that the individual was competent to study the scriptures and to draw his own conclusions.

Admittedly, an appeal to scriptural authority will hold little weight with libertarians, but to say that "[no] theologians prior to the democratic revolutions...[supported] human dignity" is to willfully ignore a large, important and staunchly pro-individual tradition.

George M. Jones
Columbus, OH

Mr. Heyne responds: First impressions are hard to overcome, and I suspect that some who read my review of Michael Novak's most recent book never recovered from the large-print, bold-type excerpt that confronted them when they opened the page: "How many Christian theologians entertained anything but contempt for the notion of human dignity prior to the democratic revolution of modern times?" That was an editor's doing. My answer, by the way, is not, none. And to Mr. Jones I would say that the noble exceptions contain a hugely disproportionate number of pre-Constantinians and radical Protestants.

It is important to distinguish the value that Christianity has consistently assigned to the individual "soul" from the dignity or worth of the individual as citizen. Mr. Nash is surely correct in asserting that theologians and bishops have "diligently pursued the sanctification of men and women for 2,000 years." I just don't think this logically entails or has even been generally associated with the sort of respect for human dignity that produces hostility to slavery, republican governments, or the U.S. Bill of Rights. And distressingly few bishops and theologians, Catholic or Protestant, right up until the present day, show any understanding at all of the market system, or the patterns of social interaction that evolve spontaneously when property rights are secure and well-defined and individuals are then left free to pursue the projects that interest them.

Michael Novak may be right in suggesting that I have inadvertently spoken much too ill of the Catholic tradition. I *did not* intend to say that "Catholics and other Christian thinkers have in fact made no contributions of genuine importance to

the development of liberal democracy." I don't believe that at all. (Has any single thinker contributed more than Tocqueville?) I meant only to say that *his own account* was capable of stirring up such a suspicion. The observation was intended in part as a tribute to Michael Novak's respect for the historical evidence while he was making his case for the Catholic tradition.

There was nothing inadvertent, however, in my expressed misgivings about the urge to find Christian foundations for social policy. I agree with Michael Novak that the classical liberal tradition has little to say about character, virtue, and community, and that it needs to be supplemented with ideas and ideals drawn from other traditions. But I would rather draw on Aristotle than on Jesus to make this case in the public forum. I believe that genuine religion does not need to benefit from the support it attracts by drawing applause for praiseworthy evolutions of social thought or policy. And I also believe that theological arguments polarize political discussion. I am sorry if these convictions have caused me to treat unfairly the tradition by which I myself have been nurtured. But criticism properly begins at home.

Bushels of Praise

As a Texas Gulf Coast rice farmer and cattle raiser, I have greatly enjoyed reading Karl Zinsmeister's four articles on the American farmer and our national farm programs (Oct.–Jan.).

His approach appeared detailed and obviously unbiased, and the in-depth manner in which he researched his work was most impressive. While some in agriculture may not agree with his findings and conclusions, I am confident that the vast majority of farmers and ranchers and members of our support industry will find his conclusions right on target. We in agriculture need to respond in a positive way to the common-sense conclusions Zinsmeister found through his research.

The article on the environment (Dec.) should be applauded by all in agriculture, as well as the rest of the American consuming public, as environmental issues continue to take shape and move toward inclusion in the 1990 farm bill. Zinsmeister's down-to-earth and impartial approach could be used to bring together leaders of environmental and farm groups to work jointly and positively on this most important issue.

Loy E. Sneary
Bay City, TX

AS A RETIRED FARMER (some 45 years of farming) I want to compliment you on the series in your magazine on farming. That was the most accurate series of articles I have ever read in a nonagricultural magazine. Most of your conclusions I agreed with.

Two points you might have considered more: Farm programs are misnamed. It would be more correct to call them consumer programs, because the basic purpose of them is to guarantee a plentiful supply of food and at a price that the consumer can afford. Most of the western countries subsidize their farmers for that reason.

Because of that, it would be difficult for American farmers to compete with the subsidized prices of all the other agricultural countries of the world if there were no subsidized prices here in America. Still, I am not at all sure that American farmers couldn't compete with the world's farmers without subsidies.

Norman C. Buehler
Scott City, KS

Catastrophic Obligations

I read with interest the article about the American Association of Retired Persons' political lobbying ("In Whose Name?" Editorials, Dec.). I believe you err in ascribing their motives to mere liberalism. AARP is more properly viewed as a business in trouble looking for a government bailout.

Despite all of its propaganda, AARP is in reality an insurance marketing agency. It is as such that they were conceived some years ago by Colonial Penn. They would be a "elderly consumer advocate" and would "endorse" a particular mail-order insurance plan. Such plan would, naturally, be underwritten by Colonial Penn. But things went astray, AARP and Colonial Penn separated, and Prudential became the new underwriter.

Just about all mail-order policies are issued without any medical questions or medical history of any kind. A person can have cancer, diabetes, heart problems, and a couple of other things, all at the same time, and still get coverage. To control the expenses of adverse selection, (that's when all of the sick people seek you out to join), a mail-order company will seek to limit claims by limiting the amount that they will pay or by having long waiting periods for preexisting conditions, or both. AARP did neither! AARP's most popular Medicare supplement, M-6, was issued with unlimited coverage and a preexisting conditions period of only three months. They were counting on the extremely low price of only $25.95 per month to attract enough healthy people to make up for the sick ones that would predictably join.

It didn't. Instead of raising the rates to the going rate for that type of coverage (about $55 per month), they sought government relief. This was understandable. A steep rate increase serves only to drive away healthy people. The sick ones stay because they have to. Other companies have tried guaranteed high rates. The result is that agents like myself, whose companies ask some health questions, seriously undercut their prices. So the effect of the Catastrophic Care Act was not to help the seniors but to limit AARP's losses. Even at that, AARP still had to raise its rates for M-6 to $43.50. Now, faced with the prospect of a repeal of the act, AARP has mailed policyholders a letter, included with the new payment coupon books, preparing them for the new rate increase and trying to place the blame on Congress.

Prudential has a clause in its policy with AARP that allows it to cancel AARP "en masse." They will be tempted to do that. I hope they don't, as that will hurt the people who joined and whose health has since deteriorated to the point that they are uninsurable. They will have been victims of the "something for nothing" fantasy.

Wayne D. Cowey
Gulfport, MI

Piece by Piece

Gun-control advocates have moderated their approach. Guns don't kill people, they now agree. Only *certain kinds* of guns kill people.

The piecemeal attack on firearms has met with success in California, which banned "assault rifles" last spring, and in Maryland, where a ban on "Saturday Night Specials" took effect January 1. "They're playing off buzzwords and menacing looks," says Sanford Abrams, vice president of the Maryland Licensed Firearms Dealers Association. "They want to go little by little and get rid of everything."

The Maryland ban, the most restrictive of its kind in the nation, covers about 100 small, lightweight, low-caliber handguns that failed to meet with the approval of a state task force.

Gwen Fitzgerald, spokesperson for Handgun Control Inc., says the task force approved weapons that appeared to have "legitimate" sporting, self-defense, or law-enforcement uses. Yet all but 31 of the banned guns weren't even considered for exemption because their manufacturers, mostly small companies, did not submit applications to the panel.

Whatever the basis for the distinction between banned and approved guns, it's hard to argue that such classification will reduce crime. Even Fitzgerald acknowledges that "if a criminal's buying a handgun, he's going to choose from what's available."

Pressed on the question of whether the gun ban can be expected to reduce crime, Fitzgerald adds that the measure is also intended to protect gun users by taking dangerous, low-quality weapons off the market. "They change back and forth," Abrams notes. "First they say it'll stop crime; then when you ask how, they say it's a consumer-protection program."

Similarly, the connection between the California assault-rifle ban and crime prevention is tenuous at best. Unlike in Maryland, where hundreds of guns were presumed to be prohibited unless approved by the state, the California ban covers nine weapons specifically described in the law. The rifles were chosen on the basis of combat-oriented features such as bayonet mounts, folding stocks, and large magazines.

The impetus for the California law was the 1988 schoolyard massacre by Patrick Purdy, who used a Chinese version of the AK-47 to shoot a group of students. But Abrams points out that many semi-automatic hunting rifles can do a lot more damage than such military weapons, firing higher-caliber bullets with greater force at the same rate.

"Someone who is that sick and that crazy is certainly going to find another way," Fitzgerald admits. "He probably could have done a lot of damage with a hunting rifle." But she insists her group does not want to ban such weapons.

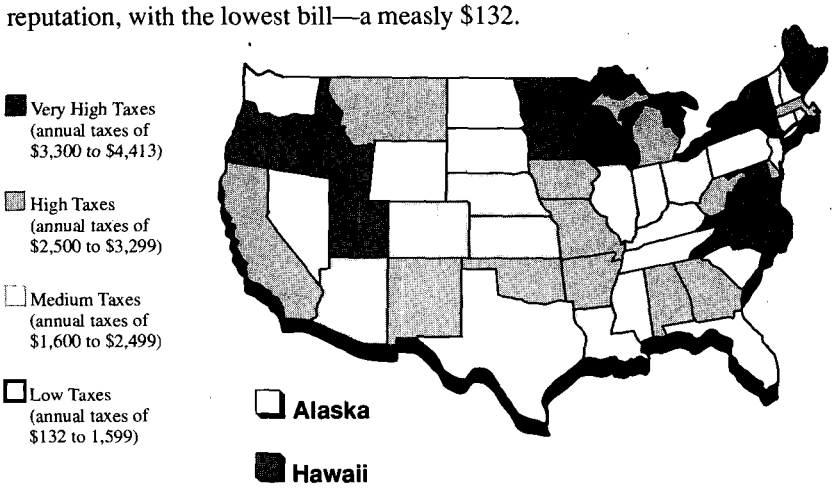
Abrams is understandably skeptical. "I don't believe it when they say, 'All we want to do is get rid of assault rifles,' " he says. "They won't stop until they've banned every type of weapon they can."

—Jacob Sullum

Taxing Our Patience

Between 1977 and 1988, reports *Money* magazine, state tax revenues grew 144 percent, outpacing both the 121-percent rise in federal tax revenue and the 88-percent rate of inflation. Granted, economic growth helped push revenues up, but state governments also enacted a host of new taxes and raised the rates of many existing ones. In 1989 alone, 30 states passed some type of tax hike.

Money estimated the total tax bill that its typical reader would pay in each state, including all state taxes—income, sales, capital gains, etc. (Local taxes, such as property taxes, weren't included.) The estimates assume a family of four with two incomes and a total household income of $61,372. Hawaii proved most expensive, with a whopping $4,500 tax bill, while tax-haven New Hampshire lived up to its reputation, with the lowest bill—a measly $132.


Very High Taxes (annual taxes of $3,300 to $4,413)
High Taxes (annual taxes of $2,500 to $3,299)
Medium Taxes (annual taxes of $1,600 to $2,499)
Low Taxes (annual taxes of $132 to 1,599)
Alaska
Hawaii

Source: Money *magazine*

Pot Paths

Two pioneers of marijuana decriminalization, Alaska and Oregon, will head in opposite directions if initiatives on their November ballots are successful.

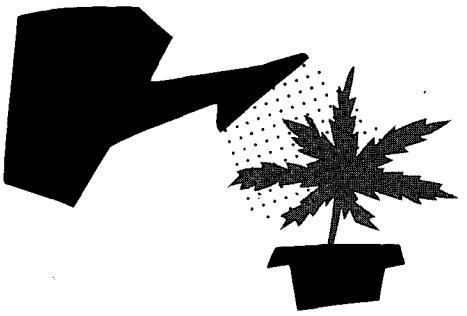
In Alaska, where possession of up to four ounces of marijuana for personal use in the home has been legal since 1975, the Citizens' Coalition for the Recriminalization of Marijuana has proposed an initiative that would impose a penalty of up to 90 days in jail and a $1,000 fine for possession of small amounts. In Oregon, where possession of less than an ounce of pot became merely a "citable offense" in 1972, a proposed initiative would allow residents to possess up to four ounces and grow up to three plants each year.

The Alaska initiative is a response to the frustration of antimarijuana activists who have been trying to get the state legislature to recriminalize the drug for the past several years. Last year, recriminalization was approved by the Republican-controlled Senate but died in the Democrat-controlled House.

Now two sponsors of the failed legislation, state Reps. Terry Martin and Alyce Handley, both Anchorage Republicans, are pushing the initiative. It has already collected 40,950 signatures, twice the number needed to put it on the ballot.

The conservative *Anchorage Times* has taken a strong stand in favor of recriminalization. The liberal (and larger) *Anchorage Daily News* has declared that the voters should be allowed to decide the issue. Opposition to the intiative is vocal but so far disorganized.

Should voters approve the law, however, it will face another obstacle: *Ravin*



v. *State*, a 1975 Alaska Supreme Court ruling that private marijuana use is protected by the state constitution's privacy clause. "If it does pass, it's going to be challenged immediately, and it'll be thrown out," says Robert Wagstaff, the Anchorage attorney who argued the *Ravin* case.

Marie Majewske, chairperson of the coalition backing the initiative, says the dramatic increase in the average THC content of marijuana and recent studies on the effects of the drug should lead the Supreme Court to reconsider *Ravin*. The ruling was based largely on expert testimony that marijuana is a relatively innocuous drug.

Meanwhile, as of late January, the Oregon Marijuana Initiative had yet to collect the 63,578 valid signatures needed to get its proposal on the ballot. Laurel Beau, a spokesperson for the 3,500-member political action committee, says the group has collected more than 25,000 signatures and expects to have 85,000 to 100,000 by the July 6 deadline.

The OMI, which has been working to liberalize Oregon's marijuana laws for a decade, has responded to past failures by modifying its approach. An initiative that would have legalized possession of any amount of pot for personal use by residents over 18 was defeated by a 3-to-1 margin in 1986. This year's initiative would allow residents over 21 to purchase marijuana-growing certificates for $50 a year. The money would be used to pay for drug treatment programs.

"It's a compromise," Beau says. "We're trying to appeal to the broadest spectrum of voters....The atmosphere is really not conducive to changing the laws, except to make them tougher." Last summer, the Oregon legislature increased the penalty for marijuana possession, previously $100 at most, to $500 to $1,000.

Beau admits the initiative has attracted sharp criticism from past OMI supporters who object to the government role in licensing growers. But he stresses that the law would forbid the state from keeping a list of permit holders. And he suggests that even those who refuse publicly to support the measure will vote for it once it appears on the ballot—and line up for permits if the initiative passes.

—Jacob Sullum

Milky Way to Freedom

Michael Gabriele, a deli owner in North Arlington, New Jersey, wanted to sell milk for less than his competitors. But when he tried to cut prices, New Jersey's Division of Dairy Industry ordered him to raise them or face heavy fines. Gabriele was outraged.

Why should the state, he asked the *Bergen* (N.J.) *Record*, "tell me that I can't change milk suppliers or take six cents out of my pocket and lose it on milk?"

New Jersey not only sets a minimum retail price for milk, it also requires stores to obtain state approval and wait 14 days before switching milk suppliers.

Now Gabriele has gone to court to try to overturn New Jersey's milk regulations, which are among the most stringent in the nation. He is challenging New Jersey's Milk Control Act as an anticompetitive government cartel.

Meanwhile, another suit, by the large New York dairy Beyer Farms, contends that New Jersey's regulations are unconstitutional restrictions of interstate commerce.

"What you have in New Jersey is complete protectionism," says attorney Sheldon Weiss, who represents Beyer Farms. "I can't think of another state which has milk laws as restrictive as New Jersey's."

After Gabriele publicly announced that he would sell milk for $2.03 a gallon, one penny below the state-mandated minimum, New Jersey regulators vowed not to enforce the Milk Control Act. But the law remains on the books and the Beyer Farms suit continues.

Success could mean big savings for New Jersey milk buyers. In December, a gallon of whole milk, on average, cost New Jersey consumers $2.63. In Philadelphia, where milk price controls are much less restrictive, the same gallon cost consumers $2.14.

—Martin Morse Wooster

BALANCE SHEET

Assets

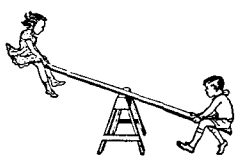
Checks and Balances. Social Security loses sacred-cow status, as Pat Moynihan's tax-cut proposal puts the system in play. A plan by Rep. John Porter (R-Ill.) to let taxpayers own their "contributions" wins serious consideration, even from the ever-prudent president. (See Trends, Dec.) And in a Harris poll, 90 percent of those ages 30 to 39 say the benefits they'll receive won't be worth the taxes they've paid.

Right Choice. AT&T crashes nationwide. Operators won't tell customers how to reach the competition—but at least the competition exists. Choice is all the more important in an emergency. (Sprint got me through to South Carolina after Hugo.) Meanwhile, Pacific Bell proposes allowing competition on local toll calls in the nation's largest market, California.

Way of the Wolf. Letters from REASON readers change Defenders of Wildlife's mind about turning over its wolf-insurance program to Uncle Sam. The program compensates ranchers for livestock lost to wolves. (See Trends, Jan.) "Defenders of Wildlife has decided to limit government involvement in our program to a very small role," writes group representative Hank Fischer. "We have decided that handling the administration of the program ourself—and signing the checks—only serves to underscore our desire to assume responsibility."

Hanging Tough. The White House inner circle—John Sununu, Richard Darman, and Michael Boskin—wages a brave, and so far successful, holding action against the forces of industrial policy. But Commerce, Defense, Silicon Valley, and a credulous press line up to endorse central planning. It's going to be a long struggle.

Liabilities



Show Trial. After two-and-a-half years on duty, the McMartin Preschool jury concludes the obvious: The evidence that Ray and Peggy McMartin Buckey molested children is mighty questionable. But, after the ensuing trial by talk show, prosecutorial ambition triumphs. Ray Buckey will stand trial again on 13 counts that the first jury couldn't decide. After all, we've already spent $15 million, six years, and dozens of lives—why not do it all again?

No Secrets. The Supreme Court rules that universities must open their tenure files to investigators ferreting out evidence of discrimination. The decision is unanimous, inevitable, and depressingly understandable. The result will be a chilling effect on *all* frank evaluations, since the files are no longer confidential. But there's no such thing as a confidential recommendation or a right to hire and fire at will in any other area of American life. Why should universities be special?

Talking Head. Sign of a coming Soviet crackup or crackdown: Vladimir Pozner, the Brooklyn-accented Soviet spokesman, is back on "Nightline." When they want to be quasi-honest, they put on the guys who sound like Russians. If Gorby goes, expect Pozner to declare his new boss the greatest humanitarian and reformer since Martin Luther King.

Green Genes. Bomb threats, Green politicians, and green-influenced courts run biotech plants out of Germany. In a verdict binding on all West German states, a court rules that because the law doesn't "expressly permit the application of genetic engineering, such facilities may not be built and operated." Pharmaceutical makers bring their operations to the United States. Will history repeat itself?

—Virginia I. Postrel

Taking a Hike

Is the Supreme Court serious about property rights? Its decision in a case involving railroad easements could be a strong indication.

Preseault v. *Interstate Commerce Commission* challenges as an unconstitutional taking of property a federal statute that allows abandoned rights-of-way to be converted into public hiking trails. The decision, expected before the summer, will be the first major takings ruling since the landmark 1987 case *Nollan* v. *California Coastal Commission*. It gives the Court an opportunity to elaborate on its reasoning in *Nollan*, which held that conditions attached to a beach construction permit violated the Takings Clause. The coastal commission had tried to compel the plaintiffs to allow public passage through their property.

Similarly, Vermont residents Paul and Patricia Preseault argue that the 1983 "rails-to-trails" law violates their property rights by creating a public hiking trail on their land. The excuse for the incursion is a railroad right-of-way that was abandoned in 1975. Under the terms of the conveyance that permitted the railroad to use the property, the right-of-way expires when the railroad stops using it. But the 1983 statute gives the Interstate Commerce Commission the authority to supersede such contracts for the sake of outdoor recreation.

If the Supreme Court finds that a taking has occurred in the *Preseault* case, it may either call for compensation or invalidate the statute. The decision could affect thousands of property owners throughout the country, since many rights-of-way are based on conveyances intended exclusively for railroad use.

"The potential impact is tremendous," says John Groen, an attorney with the Pacific Legal Foundation, which represented the property owners in *Nollan*. "This is an opportunity to embellish on the *Nollan* decision...to send a message that the Takings Clause is alive and well, and it will be enforced."

—Jacob Sullum

Sweden Isn't Eden Anymore

As Communist regimes in Europe drop like flies, left-leaning intellectuals have urged the new governments to look to Sweden for a "third way" between central planning and laissez-faire. But there's trouble in social democracy's paradise. There are cracks in the dam of socialism so large that the ruling Social Democrats hope to repair them with supply-side tax cuts.

The nationalized health-care system has to ration services: Swedes must wait a year or more for coronary bypasses, more than two years for hip replacements. While the state promises universal "free" child care, some parents can't find places for their children. Taxes chew up 56 percent of GNP, almost 20 percentage points higher than the average for all Western democracies. And a November 1989 study by the business group Ekonomifakta estimates that sluggish economic growth has reduced GNP by 23 percent over the last two decades.

The high tax burden has engendered an expanding underclass: 10 percent of Sweden's full-time workers can't support themselves without welfare benefits. And draconian tax rates stifle the desire to earn higher incomes. People who earn more than $35,000 a year fall into a 72-percent tax bracket. So, reports the *New York Times*, many workers choose to take compensatory time off, rather than extra pay, for working overtime. As a result, the average fully-employed Swede works only 31 hours a week.

The Social Democrats plan to reduce the top income tax rates from 72 percent to 55 percent by 1991. But these rate cuts will be accompanied by a broadening of the tax base. A study by Swedish economists reported in the British journal *Economic Affairs* predicted that the tax cuts would increase GNP by 2 percent, but tax revenue by almost *20 percent*.

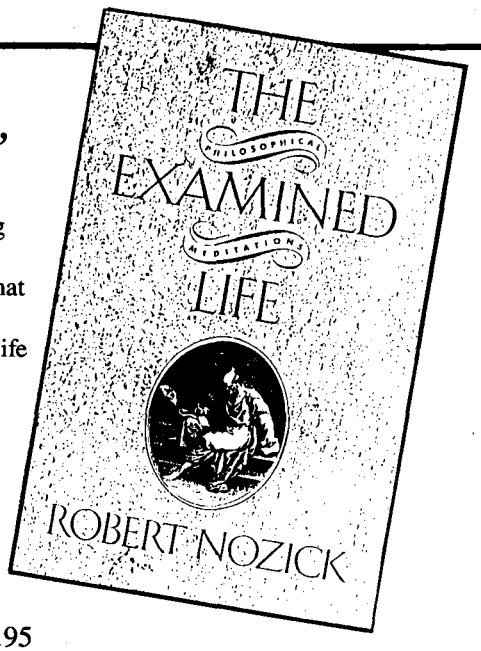
These tax cuts do not necessarily signal a move toward free markets. Sture Eskilsson, director of Timbro, a Swedish free-market think tank, says that true privatization is not on the Social Democrats' agenda. "They do not challenge the role of government in [providing] basic social services: health care, public transit, and child care."

Eskilsson and business leaders claim the Social Democrats only wish to rejuvenate moribund state monopolies. The business community promises its own plan to reduce taxation to around 45 percent of GNP.

Despite the private sector's understandable resistance to the Social Democrats' tax reform program, Eskilsson says that Finance Minister Kjell-Olof Feldt holds some free-market sympathies. Feldt told the *Times*, "We don't believe we can get this economy to function if we increase the tax burden."

—Rick Henderson

"I want to think about living and what is important in life..."



In THE EXAMINED LIFE philosopher Robert Nozick is writing directly to *you*. What you get out of this wonderful book will depend, to a much greater extent than with other books, upon what you bring to it.

THE EXAMINED LIFE is an examination, a meditation, on *real* life as we live it — like • Creating • Sexuality • Value & Meaning • The Holiness of Everyday Life • Dying • Love's Bond — written by a fascinating man in the prime of his life.

You will come away with a deeper sense of the important things in life, of the things which give people a sense of fulfillment and value.

"This is a work that will live for decades, a precious book by a unique man who has given us his best, hoping to see ours in return."

—Roy A. Childs, Jr.

PH5178 (hardcover) Publisher's Price $21.95

***OUR PRICE ONLY* $19.95**

FROM

LAISSEZ FAIRE BOOKS

Plus $2.50 postage and handling, or $3.50 UPS. NY State & California residents add sales tax.

★ **TOLL-FREE** ★ **1-800-326-0996** ★

9-6 Pacific Time Mon-Fri 12-5 • Charge your VISA or MasterCard • FAX: (415) 541-0597

OR USE THE POSTAGE-PAID RESPONSE CARD IN THIS MAGAZINE

MONEY BACK GUARANTEE If for any reason you are dissatisfied with any book, just return it within 30 days for a refund.

Available from: LAISSEZ FAIRE BOOKS *Dept.* **RG4R** *Howard Street, San Francisco, CA 94103*

BRICKBATS

In Norcross, Georgia, law enforcement has a new slogan: "Read a book, go to jail." Well, they aren't really saying that, but it did happen to Karen Lindsay. Police stormed into her apartment late one Friday night and hauled her off to jail, charging her with failing to return books to the public library and ignoring a summons to appear in court on the matter. She was freed on bail after spending the night in jail. Lindsay says that she returned the books and never received the summons. The local prosecutor later admitted that the summons had never been delivered to Lindsay. His office had put the wrong address on the envelope.

Meanwhile, northwest of Norcross, in Chattooga County, Georgia, the county's major paper, *The Summerville News*, has added "drug coupons" to its pages. Now, this isn't a buy-two-joints-get-one-free type of coupon. No, the editor of the *News* has invited readers to fill in the names of suspected drugs users and send them to the sheriff. The sheriff is reportedly thrilled with the idea. Maybe after the *News* has rid the county of drug users, they can go after people with overdue library books.

Jesse Jackson cautions us about the changes in Eastern Europe: "Now that we're unplugging the Cold War, it will still take time for the glaciers to melt, and sometimes this can cause floods." Finally, someone is brave enough to tell us the painful truth about *glasnost*.

The IRS recently notified Dustin Crowley that he owed $48,000 in back taxes. The IRS threatened to seize Dustin's property if he didn't make arrangements to pay the taxes. Dustin couldn't really understand the letter, but there are many things he can't understand: Dustin is 5 years old, and he doesn't have $48,000. When his mother pointed this out, the government reviewed its records and said something like "Ooops." So, for now, Dustin gets to keep his property—a bike and some toys—and he learns a valuable lesson: You're never too small to get jerked around by Uncle Sam.

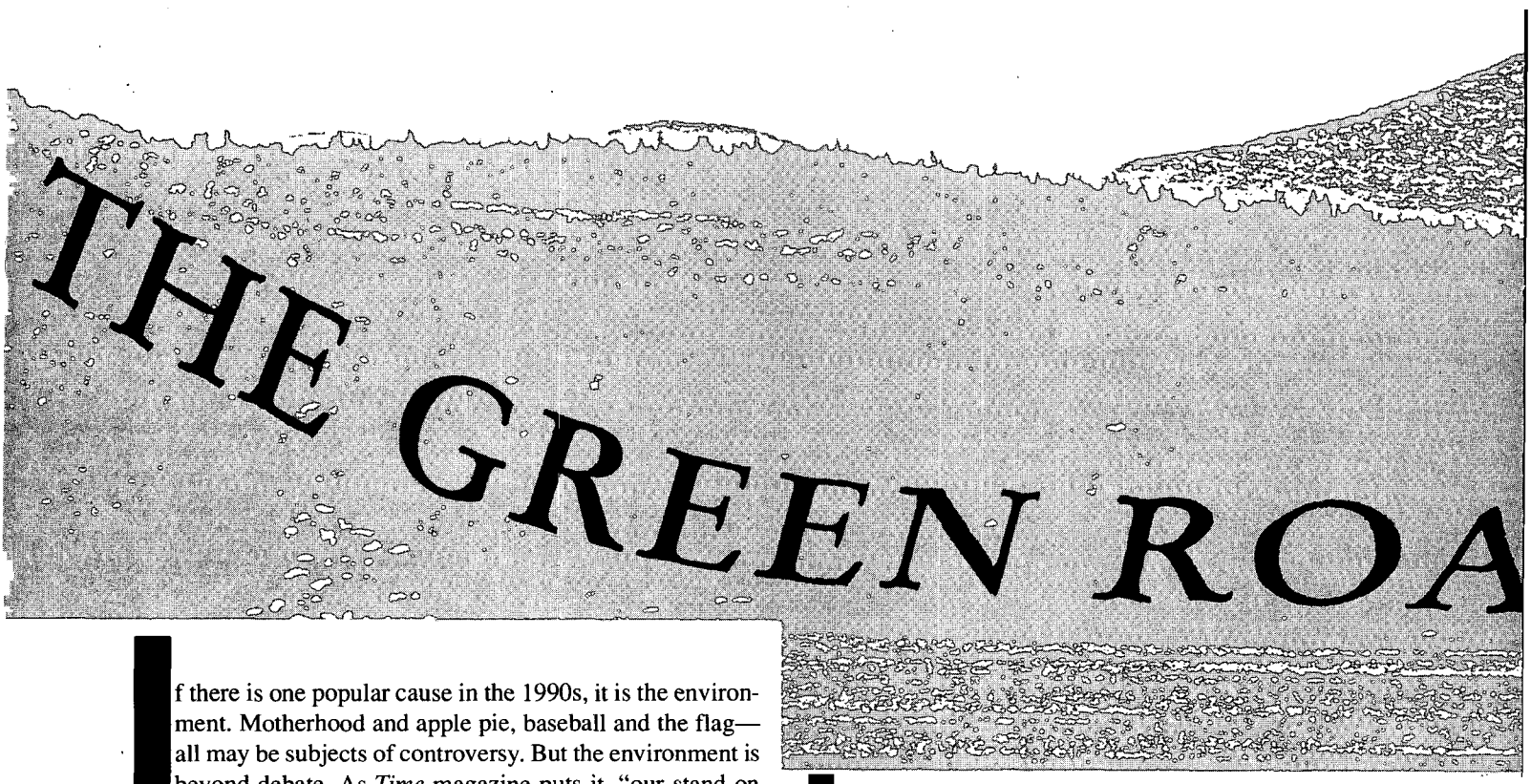
"NO, WAIT! THINK WHAT YOU'RE DOING! YOU HAVE NO COMPASS, NO MAP, NO FUEL...!"

High Times magazine reports that Drug Czar Bill Bennett was spotted nursing a gin-and-tonic at a luncheon speech. I called Bennett's office to see what they had to say about the story. David Robbin, a spokesman for Bennett, told me, "We will not comment upon anything printed in *High Times*. We do not take that magazine seriously, and we do not expect anyone else to take it seriously." So you cannot confirm or deny the story? "No, I can talk about the director's life or his work, but I won't talk about anything in that magazine." OK, leaving aside the *High Times* article, is it possible that Bennett was drinking at noon? "I don't know," said Robbin, "but I can safely say that gin-and-tonic is the director's favorite drink."

"Every time a loaf of bread is baked, approximately 150,000,000 yeasts are killed." So began a flier posted at last year's meeting of the American Society of Human Genetics. Attendees were invited to see the "award-winning 1987 film *The Very Small and Quiet Screams*—a cinematic electron micrograph of yeasts being baked." According to the flier, the film was hosted by the Anaerobe Liberation Front. ALF's credo is "Defend all life, from greatest to least, from human to yeast!"

Public-school students in Long Beach, California, can no longer wear Natas sportswear. It seems that several parents complained that Natas spelled backward is Satan. But a company spokesman explains that it has nothing to do with the occult. The company is named after its founder, skateboarder Natas Kaupas. Says the spokesman, "He's Lithuanian. That's his name."

—Charles Oliver



If there is one popular cause in the 1990s, it is the environment. Motherhood and apple pie, baseball and the flag—all may be subjects of controversy. But the environment is beyond debate. As *Time* magazine puts it, "our stand on the planet is that we support its survival." Could any cause be more humane, or less questionable?

"Protecting something as wide as this planet is still an abstraction for many," said California Governor Jerry Brown in 1979. "Yet I see the day in our lifetime that reverence for the natural systems—the oceans, the rain forests, the soil, the grasslands, and all other living things—will be so strong that no narrow ideology based upon politics or economics will overcome it." As we enter the '90s, Brown's prophecy seems to be coming true.

But beneath the rhetoric of survival, behind the Sierra Club calendars, beyond the movie-star appeals, lies a full-fledged ideology—an ideology every bit as powerful as Marxism and every bit as dangerous to individual freedom and human happiness. Like Marxism, it appeals to seemingly noble instincts: the longing for beauty, for harmony, for peace. It is the green road to serfdom.

If we are not to turn down its path, we must first recognize it for what it is. Just as socialism seduced many people by masquerading as an elaborate form of charity, so this green-ideology-without-a-name disguises itself as simple concern for a cleaner world. But there is a difference between the ordinary desire for clean air or pretty places to hike and the extraordinary passion to remake the world.

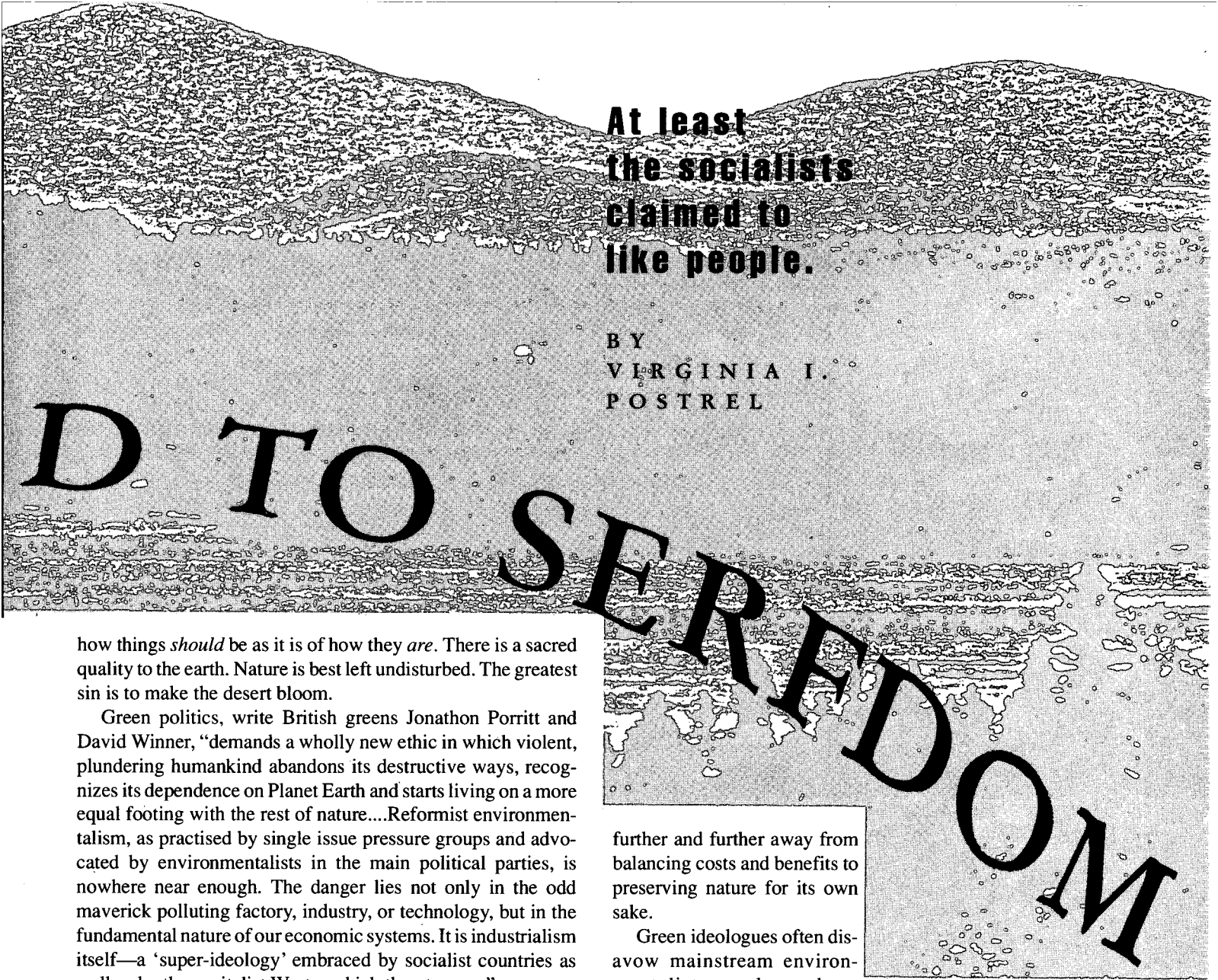
The green idea is dangerous precisely because it appeals so strongly to deep longings shared by many people. It evokes a world of natural beauty and human scale, in which people will fully understand the tools they use and will provide for themselves without depending on experts or specialists. It speaks of slowing life down and of viewing life whole. It taps the power of wilderness and the poetry of the pastoral. It offers a sense of place, of rootedness. It invokes "ancient wisdom" and "grassroots democracy." It promises "quality of life." It has much to say about ends, little about means. It speaks poetically about much, plainly about little.

Ideologies are messy. They tend to associate disparate ideas in unexpected ways. Rarely do their advocates agree precisely on what they are advocating. Viewed up close and personal, no two socialists or conservatives or classical liberals believe exactly the same thing.

The greens are no different. They have their internal quarrels and their ideological factions. The German Green Party alone can be split either of two ways: between the "realos" and the "fundis" or between the "Red-Greens" and the "Green-Greens." The former division captures attitudes about how much to compromise for short-term political gain; the latter, the influence of Marxism.

Similar divisions exist in the United States. Grassroots-oriented "eco-activists" maintain the vision while Washington-based "envirocrats" write and enforce the laws. Mystical "deep ecology" promoters square off against neo-Marxist "social ecology" advocates. In the middle, making up the rank and file, are people who want both stronger regulation out of Washington and more recycling at the household level, who like what deep ecology says about spirituality and saving nature for its own sake but think social ecology is right to emphasize practical politics, who admire the uncompromising stand of direct action groups like Earth First! but find spiking trees to prevent logging a bit extreme—who, in short, pick and choose among green ideas and organizations the ones that suit their own temperaments.

As quarrelsome as its adherents may be, however, every ideology has a primary value or set of values at its core—liberty, equality, order, virtue, salvation. For greens, the core value is stasis, "sustainability" in the approved jargon. The ideal is of an earth that doesn't change, that shows little or no effect of human activity. History is not an arrow, but a circle. On the evil of growth, both Murray Bookchin, the Marcusean doyen of social ecology, and Arne Naess, the intuitive apostle of deep ecology, agree. "Limits to growth" is as much a description of



At least the socialists claimed to like people.

BY VIRGINIA I. POSTREL

D TO SERFDOM

how things *should* be as it is of how they *are*. There is a sacred quality to the earth. Nature is best left undisturbed. The greatest sin is to make the desert bloom.

Green politics, write British greens Jonathon Porritt and David Winner, "demands a wholly new ethic in which violent, plundering humankind abandons its destructive ways, recognizes its dependence on Planet Earth and starts living on a more equal footing with the rest of nature....Reformist environmentalism, as practised by single issue pressure groups and advocated by environmentalists in the main political parties, is nowhere near enough. The danger lies not only in the odd maverick polluting factory, industry, or technology, but in the fundamental nature of our economic systems. It is industrialism itself—a 'super-ideology' embraced by socialist countries as well as by the capitalist West—which threatens us."

Green ideology is certainly shared by people who call themselves Greens, troop off to conferences in Oregon wearing Gaia T-shirts and Birkenstock sandals, and engage in debates over whether it is proper to transport food across bioregional boundaries to feed starving people. These Greens are undoubtedly green. But so, eventually, are the hundreds of thousands of people who read publications like the *Utne Reader* and the *L.A. Weekly* and absorb, bit by bit, green ideas. So, in a sense, are the 80 percent of respondents who told *New York Times* pollsters that the environment should be protected "whatever the cost."

Despite some activists' desire for a pristine party that will advocate a bright green ideology, most greens realize that success will come in other ways. Their values will become part of the general *Zeitgeist* and work their way into news stories and movies and the Democratic and Republican party platforms. The radicals will keep pushing, advocating ever more "principled" ideas, shifting the background of the main debate further and further away from balancing costs and benefits to preserving nature for its own sake.

Green ideologues often disavow mainstream environmentalists—at least those willing to make their peace with markets, private property, or industry in an effort to reduce pollution or conserve natural resources. But rare is the mainstream representative who will repudiate the "purists" who inhabit the fringes.

"I think groups like Greenpeace and Earth First! make a significant contribution to the educational process," former Senator Gaylord Nelson, now with the Wilderness Society, told writer Brandon Mitchener in a laudatory article on direct action groups. Said National Audubon Society Vice President Robert SanGeorge: "Hopefully with the different strategies of the different environmental organizations, something better will happen for the world." (Research for Mitchener's article, which was published in the new environmentalist magazine *E*, was funded by the reputedly conservative Reader's Digest Foundation.)

David Brower, the "Archdruid" of the U.S. environmental movement, understands well the dynamics of ideological crusades—how increasingly radical factions push the "mainstream" to greater and greater extremes. "I founded Friends of the Earth to make the Sierra Club look reasonable," he told *E*.

"Then I founded the Earth Island Institute to make Friends of the Earth look reasonable. Earth First! now makes us look reasonable. We're still waiting for someone to come along and make Earth First! look reasonable."

Already, the most influential environmentalists in Washington include Jeremy Rifkin, an unabashed advocate of extreme green ideology, and Lester Brown, an ardent fellow traveler. One need not accept the Earth First! slogan, "Back to the Pleistocene!" to abet the ideology behind it. "In one way or another," wrote the green prophet E.F. Schumacher, "everybody will have to take sides in this great conflict."

In a sense, green ideology is a *cri de coeur*: "Stop the world, I want to get off!" Technology is too complicated, work too demanding, communication too instantaneous, information too abundant, the pace of life too fast. Stasis looks attractive, not only for nature but also for human beings.

"The pressure and strain of living," wrote Schumacher in *Small Is Beautiful*, "is very much less in, say, Burma than it is in the United States, in spite of the fact that the amount of labour-saving machinery used in the former country is only a minute fraction of the amount used in the latter."

Rifkin describes the green coalition as "time rebels," who "argue that the long-term psychic and environmental damage has outstripped whatever temporary gains might have been made by the obsession with speed at all costs. They argue that the pace of production and consumption should not exceed nature's ability to recycle wastes and renew basic resources. They argue that the tempo of social and economic life should be compatible with nature's time frame."

To slow economy and society to the approved *adagio*, the greens have some fairly straightforward prescriptions: Restrict trade to the local area. Eliminate markets where possible. End specialization. Anchor individuals in their "bioregions," local areas defined by their environmental characteristics. Shrink the population. Make life simple again, small, self-contained.

It is a vision that can be made remarkably appealing, for it plays on our desire for self-sufficiency, our longing for community, and our nostalgia for the agrarian past. We will go back to the land, back to the rhythms of seedtime and harvest, back to making our own clothes, our own furniture, our own tools. Back to barnraisings and quilting bees. Back to a life we can understand without a string of Ph.D.s.

TOM DILLON

"In living in the world by his own will and skill, the stupidest peasant or tribesman is more competent than the most intelligent workers or technicians or intellectuals in a society of specialists," writes Wendell Berry, an agrarian admired by both greens and cultural conservatives. Berry is a fine writer; he chooses words carefully; he means what he says. We will go back to being peasants.

Greens share with communitarian conservatives like Berry a suspicion of modernity, of individualism, of rootless cosmopolitans and the cities they inhabit. But where the conservatives exalt authority and tradition, the greens reject the traditions to which they themselves are heirs. Conservatives uphold the Western, the Christian—the medieval manor, perhaps, or the yeoman farmer.

Greens look to the East, past the skyscrapers of Hong Kong, beyond the Ginza, to the Ming China that destroyed its ships lest they sail beyond the horizon. Granted, no medieval Chinese would recognize the blend of nature-worship, feminism, Zen, Taoism, Marxism, and egalitarianism that makes up green thought. But many greens would embrace the vision described by the *Tao Te Ching* and quoted in the 1985 book *Deep Ecology*:

"Let people recover
The simple life:
Reckoning by knotted cords,
Delighting in a basic meal,
Pleased with humble attire,
Happy in their homes,
Taking pleasure in their
Rustic ways....
Folks grown gray with age
May pass away never having
Strayed beyond the village."

On the virtue of such a life—indeed, on its necessity—there is little disagreement between the mystics and the Marxists or the "principled" and the pragmatic. The only question is how to get there.

Greens often hint that energy shortages or the greenhouse effect will force the transformation they seek. *Ought* quickly becomes *is*. *Should* becomes *will*. Things will change because they must. The greens may not buy Marx's historical dialectic, but they share his determinism.

Writes Porritt, who heads Britain's branch of Friends of the Earth: "From all the knowledge we now have about environmental issues, the inevitable conclusion is that our way of life cannot be sustained without grave damage to the Earth and our own health. We've done enormous damage by sustaining our way of life thus far, and by seeking to sustain it into the next century, we willfully and criminally endanger future generations who will share our planet. Simply put, our modern society is unsustainable. Unsustainable means that *we cannot go on living as we do now*" (emphasis in the original).

Porritt, however, is no naif. Like many greens, he believes people's attitudes must change and speaks easily of "the spiritual dimension of the ecology movement." But he knows it is not enough. "My strong feeling is that we need to step in tune with the Earth but we also need to engage in the political processes in order to protect it," he writes. "However uncomfortable it makes people, that means political confrontation."

Greens, especially those of the non-Marxist, earth-goddess-worshipping variety, are indeed rhetorically uncomfortable with political confrontation. They like consensus and preach nonviolence. They exalt decentralism (though they stop short of decentralizing all the way down to the individual). But with their radical wing crying, "No compromise in defense of Mother Earth!" the greens are as driven to political confrontation as the pro-life movement was to blocking abortion clinics.

And greens show plenty of zest for political power—at the local, state, national, and international levels. Opposing environmentally destructive central planning, they may sound downright Hayekian, but offered a chance to enforce *their* will by treaty or ordinance, they dump consensus like so much toxic waste. As a German Green told columnist Alston Chase, "Grass-roots democracy sounded wonderful before we were elected to Parliament. But now we are in power, centralized solutions seem far more effective."

For the most part, green political power still manifests itself in relatively mild-mannered ways: telling a farmer he can't sell his land to a developer, rezoning the site of someone's dream home as "open space," banning the sale of car air conditioners (as Vermont has), ordering some people to work nine-day, 80-hour weeks (as the Los Angeles Air Quality Management District has). We haven't yet gotten to emptying the cities, Khmer Rouge-style.

But consider the green-influenced response to the AQMD's intrusive, and most likely ineffective, plan to control air pollution in Los Angeles by—among other edicts—dictating working hours, banning deodorants, and regulating numerous industries out of business or out of town. That the plan was decreed from above and written by a handful of unelected "experts" didn't matter. That it lumped insignificant sources of pollution in with important ones didn't matter. That it failed to weigh costs against benefits or even to demonstrate that it would, in fact, significantly reduce air pollution didn't matter. All that mattered was that it was extreme and that it was comprehensive. It was "serious." Lester Brown, the much-quoted head of the Worldwatch Institute, lavishes the same sort of praise on China's draconian one-child policy. How "serious" greens get will depend primarily on how much power they can grab.

For greens, the core value is stasis, "sustainability" in the approved jargon. The ideal is of an earth that doesn't change, that shows little or no effect of human activity.

Most greens can still consider themselves nonviolent for one reason: Their victims don't fight back. So far no one has taken up arms to defend his logging equipment against Earth First! sabotage or his factory against EPA closure. But some greens, at least, see the inherent contradiction in their views.

Writes longtime activist Stephanie Mills, contemplating a battle over whether to allow a golf course to be built: "The ecofascist in me finds it hard to trust even the outcome of a democratic process, let alone a paradigm shift, because the demos is, through no fault of its own, largely ignorant of biology. I fear that our culture is so confused and our information systems so polluted with irrealities that people will vote, time and time again, to let the golf course be built."

Mills equates land ownership with slavery, herself with the

abolitionists. But, unlike a human being, land cannot own itself. Freed slaves can decide what to do with their lives. They can speak for themselves in court. But some human being has to speak for the land, has to decide what will become of it. Mills and her fellow greens volunteer to be those spokespersons. In effect, *they* will own the land.

But without paying for it. After all, writes Mills, "there's far more land to preserve than there is government or philanthropic ability to compensate the owners. So it is a win-lose situation as long as the dominant paradigm, which maintains that land can be owned, holds sway." Suddenly, we are back to liquidating the kulaks.

Mills is a remarkably frank writer, and her book *Whatever Happened to Ecology?*, recently published by Sierra Club Books, provides some of the most interesting peeks at the green world to come that can be had by the general public. Mills garnered national attention in 1969, when she delivered a college commencement address entitled "The Future Is a Cruel Hoax" and declared she'd never have children. The book traces the evolution of the environmental movement and of her ideas since then. Today, she and her husband live on a farm in northern Michigan, where they pursue their bioregionalist ideal of "reinhabiting" the land by restoring some of its wildness and blocking future development. A journalist, not a theorist, Mills speaks not only for herself but for the intellectual movement of which she is a part. Her words are chilling:

Greens speak much of ecology in the natural world. But they want to destroy the intricate webs of human ecology —the markets, the cities, the communications networks.

"We young moderns resort to elaborate means of getting physical experience. Yogic practice, fanatical running, bicycling, competitive sports, bodybuilding. All of these recreations are voluntary and may not cultivate the endurance necessary for the kind of labor required to dismantle industrial society and restore the Earth's productivity." *Are voluntary...the endurance necessary...the labor required...dismantle industrial society.* The prose is pleasant, the notions it contains disturbing. Are we to conscript a slave army to restore the earth? Shall green-clad drill instructors run us through endurance-building workouts? To what is Mills alluding? She never explains.

She continues: "One summer afternoon a few days after a freak windstorm, I made a foray out to buy some toilet paper. (Every time I have to replenish the supply of this presumed necessity, I wonder what we're going to substitute for it when the trucks stop running.)" *When the trucks stop running.* There is a history of the future buried in those words, fodder for several science-fiction novels—but, again, no explanation of when and why the trucks will stop. Or who will stop them.

People don't want to be peasants: The cities of the Third World teem with the evidence. And certainly, the typical subscriber to the *Utne Reader* (a sort of green *Reader's Digest* with a circulation of nearly 100,000 after only five years of publication) doesn't envision a future of subsistence farming—much less the hunter-gatherer existence preferred by deep ecologists. More to the reader's taste is, no doubt, the cheery vision offered by Executive Editor Jay Walljasper.

It's 2009. Nuclear weapons have been dismantled. Green publications have huge circulations. Minneapolis has 11 newspapers and its own currency ("redeemable in trout, walleye, or wild rice"). Sidewalk cafés sell croissants and yogurt. A local ordinance decrees a 24-hour workweek. Cars are nearly nonexistent (a delegation from the "People's Independent Republic of Estonia" is in town to help design better ski trails for commuters). Citizens vote electronically. The shopping mall has become a nature preserve.

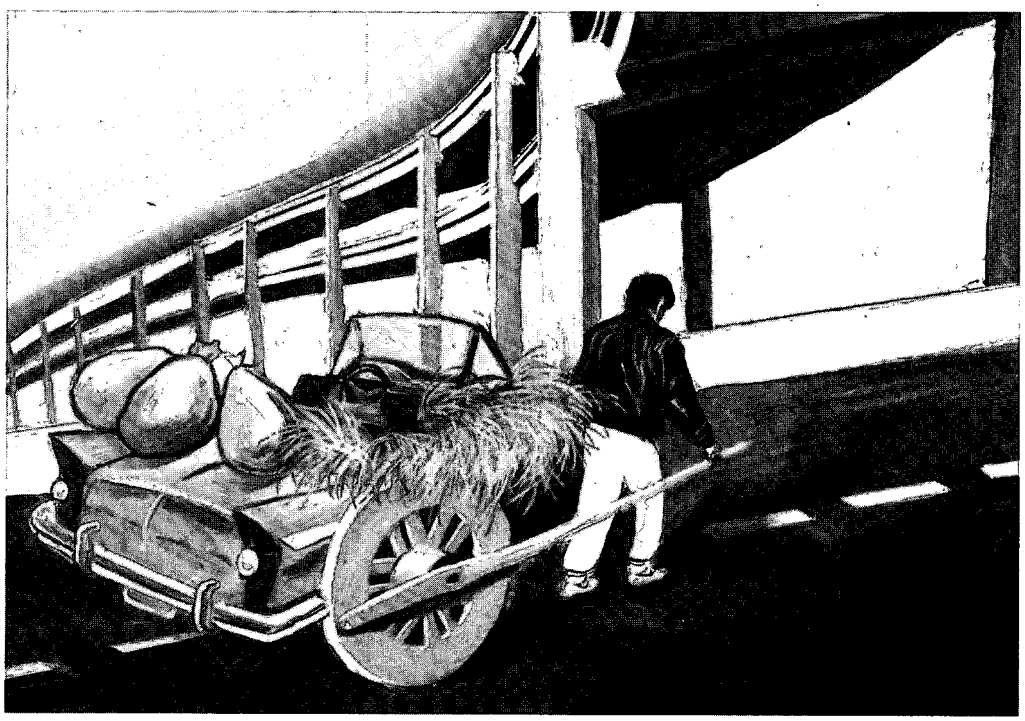
Walljasper is clearly having fun—after all, he puts Aretha Franklin's face on the $10 bill—and he doesn't consider any of the tough questions. Like how all those magazines and newspapers exist without printing plants or paper mills. How the Estonians got to town without airplanes or the fuel to run them. (Jeremy Rifkin specifically names the Boeing 747 as the kind of product that can't be produced in the small-is-beautiful factories of the coming "entropic age.") How the chips to run the electronic voting got etched without chemicals. Where the chips were made. How a 24-hour workweek produced the sustained concentration needed to write software or the level of affluence that allows for restaurant croissants.

And, above all, Walljasper doesn't explain why after millennia of behaving otherwise, humans simply gave up wanting *stuff.* If the Walljasper of 2009 still overloads on reading material, why should we assume that people whose fancy runs toward fast food and polyester (or fast cars and silk) would be struck with a sudden attack of bioregionally approved tastes? How *exactly* did that shopping mall disappear?

"The root of the solution has to be so radical that it can scarcely be spoken of," says movie director and British green John Boorman (*Hope and Glory, The Emerald Forest*). "We all have to be prepared to change the way we live and function and relate to the planet. In short, we need a transformation of the human spirit. If the human heart can be changed, then everything can be changed."

We have heard this somewhere before. People are forever seeking to change the human heart. They usually begin with persuasion, and persuasion sometimes works. We did, some of

us, stop killing each other in the name of God.



But the greens want people to give up the idea that life can be better. They say "better" need not refer to material abundance, that we should just be content with less. Stasis, they say, can satisfy our "vital needs." They may indeed convince some people to pursue a life of voluntary simplicity, and that is fine and good and just the kind of thing a free society ought to allow. Stephanie Mills is welcome to her farm.

But I do not want to give up 747s (Rifkin), or cars (Kirkpatrick Sale), or glasses (Joan McIntyre), or private washing machines (Bookchin), or tailored clothing (Schumacher), or long workweeks spent at a computer I could never build. I do not want to return to the world in which Chaucer's clerk dreamed of owning 20 books. (Neither, I daresay, would these prolifically writing greens).

The "debased human protoplasm" that Mills holds in contempt for their delight in "clothes, food, sporting goods, electronics, building supplies, pets, baked goods, deli food, toys, tools, hardware, geegaws, jim-jams, and knick-knacks" will not go down nonviolently. Many ordinary human beings would like a cleaner world. They are prepared to make sacrifices—*tradeoffs* is a better word—to get one. But ordinary human beings will not adopt the Buddha's life without desire, much as E.F. Schumacher might have ordained it. And many ordinary human beings will not give up the right to own land without a fight, complete with guns.

Green ideology springs from the rift C.P. Snow described as "the two cultures," the split between scientific and literary intellectuals. We have yet to come to terms with that split—itself a product of understandable, and largely necessary, specialization. It has produced an ideological crisis.

Ideologies are, by definition, created in the world of ideas, by intellectuals. They are created with words. When science and technology became too complex for those who wield words to easily understand, some of the writers rebelled. Rather than bone up on science or accept tools they didn't comprehend, they demanded that the world get simpler. They got their science from popularizers and built an antiscience worldview on it.

From the life sciences, they learned that chemicals cause cancers—without understanding that our methods of measuring both chemical concentrations and minute dangers have grown ever more sensitive. From popularizers who said that physics no longer differs from Eastern mysticism, they learned that reality is radically subjective, reinforcing the intuitive approach of deep ecology. From ecologists who posited that the earth acts as a single system to maintain conditions conducive to life, they learned that the earth is alive. Mistaking metaphor for reality, they took James Lovelock's Gaia hypothesis and turned earth into a goddess. From the Second Law of Thermodynamics, Rifkin justifies an entire system of political economy based on the ideal of never expending energy. From quantum physics, Fritjof Capra derives justification for a new world order.

Writing in *The Tao of Physics*, he declares: "I believe that the world-view implied by modern physics is inconsistent with our present society, which does not reflect the harmonious interrelatedness we observe in nature. To achieve such a state of dynamic balance, a radically different social and economic structure will be needed: a cultural revolution in the true sense of the word." How we get from quarks and quanta to a new social order is best left to a less popular Capra work, *Green Politics*, about the rise of the German Green Party.

Pseudoscience has always appealed to half-educated intellectuals—Marxism lured many a disciple with its talk of "scientific materialism." The greens claim to have equally scientific proof that industrial civilization is "unsustainable,"

TOM DILLON

that we must give it up or die. Some of their ideas do indeed draw on the work of serious scientists. But green ideologues would be genuinely unhappy if the greenhouse effect turned out to be insignificant, even less happy if technological advances refuted their apocalyptic claims. Their greatest nightmare is the discovery of cheap, safe, clean energy. It would be "like giving a machine gun to an idiot child," population-control advocate Paul Ehrlich said when the excitement over cold fusion suggested that prospect. "It's the worst thing that could happen to our planet," Rifkin told the *Los Angeles Times*.

Greens wrap themselves in science but many dislike the spirit of inquiry that drives the scientific process. They want the world to be simple and simply understood—or so subjective it *cannot* be understood. Deep ecologist Arne Naess says, "People can then oppose nuclear power without having to read thick books and without knowing the myriad facts that are used in newspapers and periodicals." Schumacher pooh-poohed science as mere "know-how," inferior to humanistic pursuits. His answer to Snow, who wanted educated people to know both Shakespeare and science, was to declare: "What do I miss, as a human being, if I have never heard of the Second Law of Thermodynamics? The answer is: Nothing."

Greens wrap themselves in science, but many dislike the spirit of inquiry that drives the scientific process. They want the world to be simple and simply understood.

Some greens may be comfortable with scientific inquiry (at least if it doesn't disturb nature) and prefer facts to mystical insight, but all oppose both the technological optimism that often drives science and the economy that sustains it. They speak much of ecology and note, correctly, that we have learned that the natural world is made up of complicated connections we can only begin to understand. But they demand that the human world, in which similar connections create markets and cities and communications networks, be smashed into its component parts.

Schumacher attacked markets because they "take the sacredness out of life, because there can be nothing sacred in something that has a price." He refused to recognize that prices express the value real human beings put on things, that they allow us to "be in touch with more than a very limited number of persons at any one time"—something he said can't be done.

He criticized modern transportation and communications for making people "footloose," for letting them easily move to suit themselves and especially for letting them create crowded cities. He preferred the world when people were "relatively immobile," when "the movement of populations, except in periods of disaster, was confined to persons who had a very special reason to move, such as the Irish saints or the scholars of the University of Paris." When, in short, only the intellectual elite could change its geographical station in life.

In 1959, Snow, a socialist, saw where the two cultures would lead. And he passionately defended the industrialism the greens aim to dismantle: "Industrialisation is the only hope of the poor. I use the word 'hope' in the crude and prosaic sense. I have not much use for the moral sensibility of anyone who is too refined to use it so. It is all very well for us, sitting pretty, to think that material standards of living don't matter all that much. It is all very well for one, as a personal choice, to reject industrialisation—do a modern Walden, if you like, and if you go without much food, see most of your children die in infancy, despise the comforts of literacy, accept twenty years off your own life, then I respect you for the strength of your aesthetic revulsion. But I don't respect you in the slightest if, even passively, you try to impose the same choice on others who are not free to choose. In fact, we know what their choice would be. For, with singular unanimity, in any country where they have had the chance, the poor have walked off the land into the factories as fast as the factories could take them."

At its extreme, green ideology expresses itself in utter contempt for humanity. Reviewing Bill McKibben's *The End of Nature* in the *Los Angeles Times*, National Park Service research biologist David M. Graber concluded with this stunning passage: "Human happiness, and certainly human fecundity, are not as important as a wild and healthy planet. I know social scientists who remind me that people are part of nature, but it isn't true. Somewhere along the line—at about a billion years ago, maybe half that—we quit the contract and became a cancer. We have become a plague upon ourselves and upon the Earth. It is cosmically unlikely that the developed world will choose to end its orgy of fossil-energy consumption, and the Third World its suicidal consumption of landscape. Until such time as Homo sapiens should decide to rejoin nature, some of us can only hope for the right virus to come along."

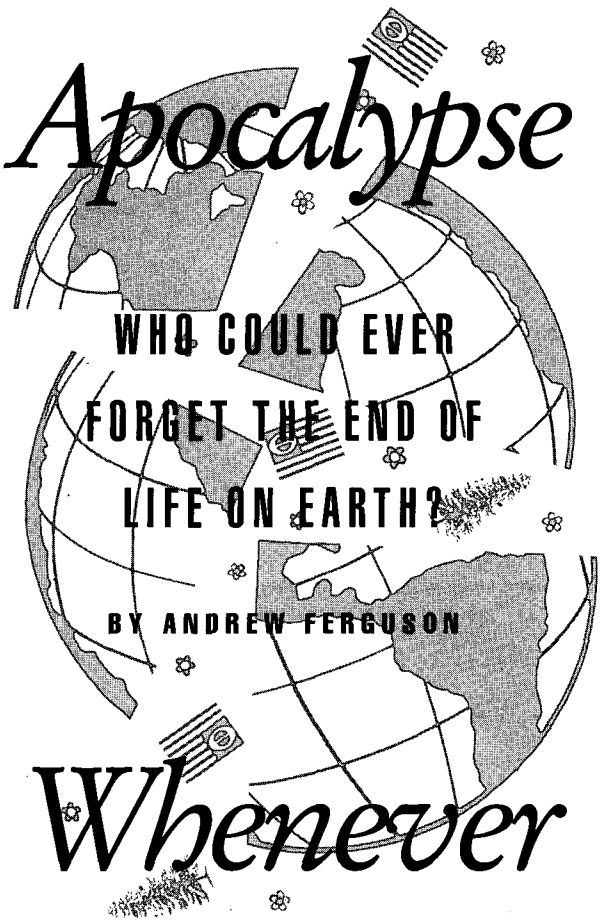
It is hard to take such notions seriously without sounding like a bit of a kook yourself. But there they are—calmly expressed in the pages of a major, mainstream, Establishment newspaper by an employee of the federal government. When it is acceptable to say such things in polite intellectual company, when feel-good environmentalists tolerate the totalitarians in their midst, when sophisticates greet the likes of Graber with indulgent nods and smiles rather than arguments and outrage, we are one step farther down another bloody road to someone's imagined Eden. All the greens need is an opportunity and a Lenin.

Virginia I. Postrel is editor of REASON.

Apocalypse Whenever

WHO COULD EVER FORGET THE END OF LIFE ON EARTH?

BY ANDREW FERGUSON



Michael Clark is the executive director of Friends of the Earth, and he's a little anxious about this whole Earth Day thing. He's in a hurry. What's the rush? "We are driven by the fact that we don't have much time left to act, maybe 10 years," he told the *New York Times* late last year.

And you thought you had problems. The guy from the *Times* didn't say to Mike, "Yeah? Ten years? Then what happens?" because he didn't have to. The reporter, being an environmental reporter, already knows from talking to environmental activists (it's his job) what happens then: What happens then is *it*, the apocalypse, Armageddon, curtains, the end.

Environmentalists long ago learned what every auto mechanic and Bible-belt rabble-rouser and real-estate panic artist has always known: Bad news is profitable news. As a sales device, the apocalypse—unlike, say, oil deposits in the North Sea—is an endlessly renewable resource. It never goes away. The sound of the ticking clock fetches us all. News of looming doom works today, it will work tomorrow and tomorrow and tomorrow—just as it worked yesterday and the day before.

It certainly worked 20 years ago, around the time the first Earth Day was getting cranked up. Eco-pests never descended to strapping on sandwich boards and walking the length of Hollywood Boulevard and back again calling sinners to repent (their Earth Shoes would have made the trek impossibly painful); they didn't need to.

They had the press. The first Earth Day thus gained rivers of ink and miles of footage on the evening news and managed to induce a kind of coast-to-coast, day-long hysteria in which millions of normally sane Americans did things they would never have dreamed of doing for a fraternity hazing.

Time magazine described some of the proceedings in an article titled "Memento Mori" (literally, I think, "Memo for Morons"): "At the University of Wisconsin, 58 separate programs were staged, including a dawn 'earth service' of Sanskrit incantations. Car wreckings—followed by interment of the beasts—were a common protest. Some students at Florida Technological University held a trial to condemn a Chevrolet...." In Cleveland, *Time* recounted cryptically, "a student held aloft a plastic bag full of garbage and intoned: 'This is my bag.'" (I don't understand it either.) There was much more: cooking cowpies, hugging pigs, listening to speeches by John Lindsay.

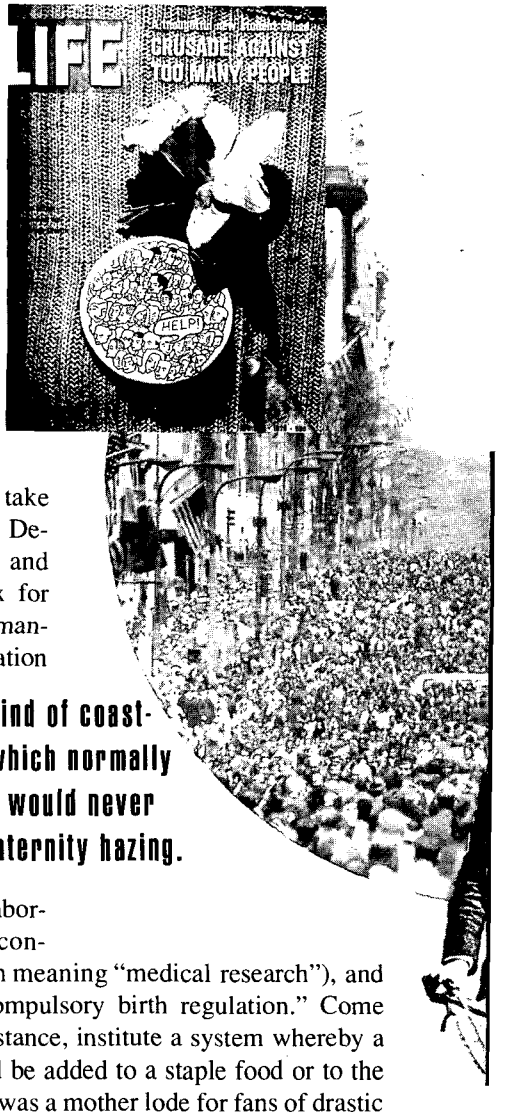
Why did Americans do such things? Because some of it was fun, of course, but more importantly because the end was near. Considering the reams of apocalyptic treatises then blanketing America, it's a wonder we didn't all start waving bags of garbage. To every side the chorus was singing the same tune that Michael Clark is crooning today. Norman Cousins, the editor, announced that "the human race is operating under the starkest of deadlines." *Life* magazine told us that by 1980 city dwellers would need gas masks. And NBC's Edwin Newman, his sunken eyes darkening with portent, warned his viewers that by 1980 the mighty rivers of this great nation "would have reached the boiling point."

Scary, yes. But a skeptic could ask, with some justification: What does Norman Cousins, widely recognized even then as an all-purpose crank, know? Or the editors of *Life*, for that matter? And Edwin Newman—wasn't grammar his thing?

The tribe of apocalyptics understood that it helps if your witch doctor is indeed a *doctor*, and to silence the skeptics the movement enlisted one Paul Ehrlich as chief whooper-upper. He was catholic in his alarmism, but it was the subject of "overpopulation" that really set his bells to ringing. He became the Quasimodo of the cause.

Now, Dr. Ehrlich was an entomologist by training, and some immediately recognized that after many years of rigorous study he had lost the capacity to distinguish between an army of hideous little arthropods swarming over his desk in a Stanford laboratory and an upwardly mobile population of Homo sapiens building tract houses in Palo Alto. Each for him was equally unpleasant; each brought chaos. But, hinged or unhinged, he *was* a doctor, and that seemed good enough for everybody. It was enough, in any event, for *Playboy* and *Look* and *Reader's Digest* and *McCall's* and the dozens of other slick magazines that got him to dispense his wisdom in their pages, and it was enough for Johnny Carson, who throughout the '70s made the bug man a regular guest on his show.

For Ehrlich had the tone just right. "We face a very real crisis this instant," he told *Reader's Digest* readers in 1968. *This instant*: petulant, barely choking down the sob, vaguely threatening to hold...my breath...until...you *pay attention to me*. But the tone, however undignified, was necessary; this was, let's not forget, apocalypse. Even if the world's food supply tripled by the year 2000, he continued in his *Digest* article, "it is already too late to prevent a drastic rise in the death rate through starvation." And how late is it, as Johnny's audience might have called out? "The time of famines will be upon us full-scale in 1975." But then a cruel shrug: "What's done is done."



Nevertheless, the inevitable end has a sunny side. It's already too late, but we still get to take *drastic action*. A Federal Department of Population and Environment, a head tax for families with children, mandatory birth-control education in the schools, lots of abortions, an end to "death control" (an apocalyptic term meaning "medical research"), and finally, soon or late, "compulsory birth regulation." Come again? "We might, for instance, institute a system whereby a temporary sterilant would be added to a staple food or to the water supply." Earth Day was a mother lode for fans of drastic action. And to think that right-wingers were worried about fluoride!

The first Earth Day induced a kind of coast-to-coast, day-long hysteria in which normally sane Americans did things they would never have dreamed of doing for a fraternity hazing.

Had enough? Dr. Ehrlich lets no one off that easy. He leaves *Digest* readers with a dirge of questions to ponder: "We must look to the survivors," he writes, "if any."

"Will they have to wear smog masks as a matter of routine? [Yes! Haven't you been reading *Life*?] Will they enjoy mock steaks made from processed grass or seaweed? Will they accept regimentation and governmental control at a level previously unheard of? Above all, will they be able to retain their sanity in a world gone mad?"

The answer to the last question, quite obviously, is no. Dr. Ehrlich wouldn't let them. Before and during Earth Day and

for years thereafter, he was inescapable, even if you were one of those rare Americans who never watched "The Tonight Show" or who never read *Look* or who never bought *Playboy* just for the articles. He called the American people a "cancer on the planet," and the cancer cooed. It embraced him, it cuddled with him, it set him upon its knee and bounced him up and down. "I'm booked a year ahead on personal appearances," he said in 1970, "and get around two dozen requests a day." His manifesto, *The Population Bomb*, sold a cool million, and he logged 80,000 miles a year. His vasectomy was covered in *Life*.

Greek letter, theta, warning of death, symbolizes the threat to earth and its atmosphere. Green stripes are for unspoiled land; white for pure air.
Once the air was clean, the water good. We could enjoy the smell of the earth; we could walk the land. It is incredible what we have done to America in 200 years. Too much of it is now noisy, cluttered, ugly and dirty. As citizens, we need a new commitment to clean up, enhance and restore our country, and use our natural resources wisely. Let us set our goal for 1976, our bicentennial. Those of us who care about what is happening to America the beautiful can do two things:
Display the green flag of ecology as a symbol of your commitment and as a pledge to act.
Read "Community Action for Environmental Quality," a new edition of a citizens' guide to taking action now.
Then go out and start.
Laurance S. Rockefeller

Population-control freak Paul Ehrlich called the American people a "cancer on the planet," and the cancer cooed.

Apocalyptics is fun, as I say, and soon everybody was joining in. Eschatologists crowded the magazines, the op-ed pages, the airwaves. I have noted Norman and Ed, but space prevents me from servicing them all. Gaylord Nelson, then a senator from Wisconsin, deserves special mention if only because he (along with several dozen competitors) claimed credit for devising Earth Day. He used that paternity to elbow his way into the pages of *Look* and grab a national audience.

There he relieved himself of several predictions, all ecstatically dreadful. The breathing masks, of course, will be *de rigeur* by the 1980s, but only when we're outdoors. He cites the secretary of the Smithsonian, S. Dillon Ripley, to the effect that by 1995, "between 75 and 80 percent of all the species of living animals will be extinct." Not that we'll have time to miss the furry koala or the cretinous buffalo or the gentle giraffe, for a mere five years later, the natural environment will no longer be able to sustain any life at all.

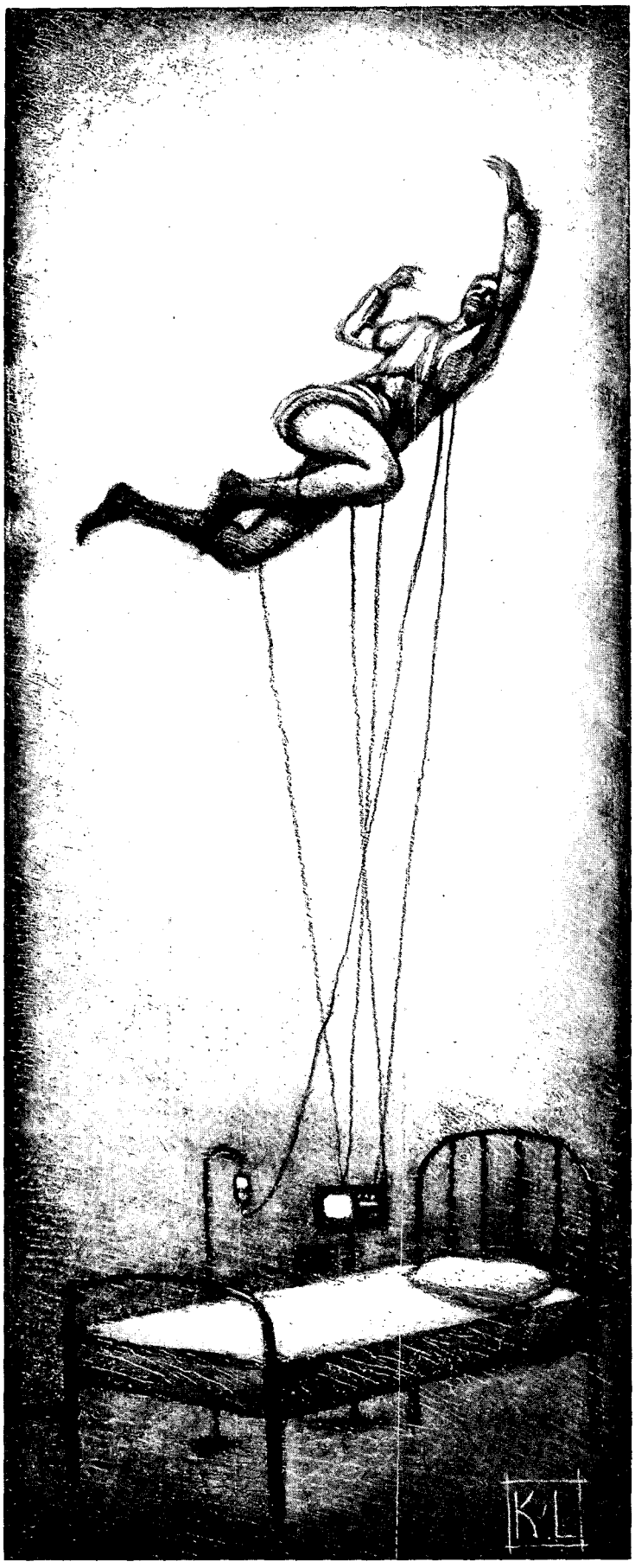
Senator Nelson's prescriptions are much what you would expect of a senator from the state that gave us Robert LaFollette. Each urgently needed policy marches out with capital letters unfurled: a National Land Use Policy, a National Policy on Air and Water Quality, a National Policy on Resource Management, a National Policy on Oceans, a National Policy on Population. Having limned this impressive program, he makes the complaint that "thousands of government-agency offices are protected from public scrutiny by layer on layer of bureaucracy"—nothing, surely, that a National Policy on Bureaucratic Layers can't fix. And then, stirringly, he closes: "We need action. The cost of not acting will be far greater than anything we have yet imagined."

At this point the question naturally arises: How do we imagine a cost greater than the extinction of all life on earth by the year 2000? There's no evidence that anyone ever asked it of the Hon. Gaylord. Taken item for item, many of the eco-predictions were mutually exclusive by their very nature, and the key to understanding Earth Day then and now is to know that nature had absolutely nothing to do with it. And accuracy, thank God, had nothing to do with it either. We Americans never did, so far as I recall, get water rationing and a ban on flush toilets by 1974, though several eco-experts divined that these would be crucial; nor did we get food rationing by 1980; nor a 500-percent increase in dysentery by the mid-70s. (Imagine an outbreak of dysentery with no flush toilets!)

There was one other thing the apocalyptics were wrong about—Earth Day itself. A presidential candidate, Ehrlich predicted in 1970, would spring from the Day's fertile loins, and the doctor's own organization, Zero Population Growth, would form the nucleus of a new political party. Earth Day, he wrote, "is going to have a tremendous impact....The movement is going to generate a lot of civil disobedience, similar to what we saw in the early days of civil rights....Among other things, people are just going to stop paying their bills." Gladwin Hill, the national environmental reporter for the *New York Times*, said the occasion marked the beginning of "what may become the greatest movement ever to sweep the country." And the editors of *The Progressive* were also, as is their wont, wrong: Earth Day would "become the birthday of a new and more hopeful movement affecting all our lives in all ways."

Instead, as we now know, Earth Day 1970 went the way of all media events: It faded into the pages of *Look* and *Time* and *Newsweek*, yellowing in bound volumes, gathering dust in library stacks. It was a close call, however, and in the heaving bosom of every environmentalist there is a fountain of hope that never runs dry. Hence Earth Day 1990. The executive director of an organization boosting the great event, Christina Dresser, recently had this to say: "The point is not an event, but launching a decade of environmental activism." Don't worry. She'll be dead wrong. ■

Andrew Ferguson is an editorial writer for the Scripps Howard News Service.



DON'T

Nancy Cruzan, a 32-year-old Missouri woman, had her 15 minutes of fame in early December. Featured in every major newspaper and magazine, profiled on news programs and talk shows, she was a short-lived media phenomenon. But after December 6, the day the Supreme Court heard arguments in the case bearing her name, her story slipped into oblivion.

Nancy herself has been in oblivion for the last six years. She lies comatose in a state hospital in a persistent vegetative condition never having regained consciousness since a car accident in 1983. All physiological evidence indicates that Nancy has no thoughts, sensations, or emotions. If not for her artificial life support, she would have died, mercifully, years ago. Nancy is supported by a feeding tube and by Missouri's taxpayers, who pay $130,000 a year to keep her "alive." She has no hope for recovery and could continue to "live" for another 30 years.

When the hospital administration refused their request to terminate her feeding, Nancy's parents turned to a county probate court, which authorized the withdrawal of life support. Upon appeal, however, the Missouri Supreme Court reversed. In a departure from numerous solid precedents, the court ruled that the state has an "unqualified interest in promoting life," regardless of its quality, thus condemning Nancy and her family to continued limbo. In their appeal, the Cruzans argue that their constitutional rights to privacy and to equal protection of the laws should prevent the state from intervening.

The Cruzan family and the community of legal scholars are not the only ones anxiously awaiting the Supreme Court's decision in *Cruzan* v. *Harmon*, which is expected early this summer. For the leaders of the right-to-die movement—a loose federation of several organizations that advocate the legalization of passive or active euthanasia—the Cruzan case is an important landmark. If the Court finds a constitutional right to die in deciding this, its first euthanasia case, it will vindicate their past actions and confirm their convictions. December 6 was their day in court as well.

Ending Nancy's misery, and that of her family, would be an example of "passive" euthanasia, which involves disconnecting or withdrawing artificial life-support systems, including feeding tubes, from people who have fallen into comas. Although it requires an affirmative act—pulling the plug—the practice is considered passive because it simply allows nature to take its course.

Active euthanasia, however, is a qualitatively different—and far more controversial—act. It involves direct measures, such as injecting a fatal dose of painkillers, that prematurely end a person's life. The Hemlock Society is the only right-to-die group that advocates active euthanasia,

KEVIN LEE

BLOCK THE EXIT

As the Supreme Court considers its first euthanasia case, the right-to-die movement faces a tougher challenge: getting people to contemplate their own deaths, and getting the politicians to let them.

BY DANIEL GROSS

albeit only for the terminally ill and then only with the consent of the patient. The rest of the movement—including the two largest groups, Concern for Dying and the Society for the Right to Die—supports passive euthanasia only.

Although right-to-die organizations have existed since the 1930s, the contemporary movement really dates from 1975. That was the year the Karen Anne Quinlan case became a *cause célèbre*. In September 1975, five months after the 21-year-old woman fell into a drug-and-alcohol-induced coma, her father, Joseph Quinlan, petitioned a local court for the legal authority to remove her life support. The court refused, but the New Jersey Supreme Court overruled its decision in March 1976, finding that the Quinlans had the right to refuse treatment for their daughter. They disconnected the respirator later that year, although she did not finally die until 1985.

The conundrum in the sensationalized Quinlan case, as well as in many less publicized cases decided by other state courts, was the question of consent. Sentient patients can refuse medical treatment or order it withdrawn under almost any circumstances. This is a right long established by a succession of precedents in both common and constitutional law. But the court had no way of knowing if an incompetent like Karen Anne Quinlan (or Nancy Cruzan) wanted the treatment disconnected.

A living will, a document in which a person sets forth directions regarding life-prolonging treatment, would have provided an explicit expression of intent in the Quinlan case. But such documents were not legal in 1975. After the Quinlan trial, however, the drive for their legalization began in earnest. Although the language may vary, living wills generally contain a statement like: "I direct my attending physician to withhold or withdraw treatment that merely prolongs my dying." In the wills, people can also enumerate extraordinary measures they wish to forgo should they become incompetent—for example, artificial life support, respirators, tube feeding, unwanted operations, jump starts of the heart. Or all of the above.

Karen Anne Quinlan's limbo made the utility of living wills obvious. Large numbers of Americans became aware of her plight and began to take action to guarantee that they would not suffer a similar fate. In the 18 months following the first Quinlan trial, the Euthanasia Society of America and its affiliate, the Euthanasia Educational Council, received 1.25 million requests for living wills. Between 1969 and 1975, they had distributed about 750,000.

Riding the wave of public indignation and attention aroused by the Quinlan case, the Euthanasia Society changed its name to the Society for the Right to Die and began more actively to pursue the legalization of living wills. The groundswell brought legislative action almost immediately. In 1975 alone, 15 right-to-die bills were introduced in state legislatures. And in 1976, California enacted the first living-will statute, the California Natural Death Act. Success has followed success, and living wills are currently valid, in various forms, in 40 states and the District of Columbia. In addition to giving living wills legal force, the statutes shield physicians who execute them from civil and criminal liability.

The Society for the Right to Die, which has about 150,000 members, now views living wills as its *raison d'être*. Over the last 20 years, the SRD estimates, it has distributed about 7 million living wills free of charge, and it continues to work for the universal legalization of living wills in the United States. "Soon we will have living-will statutes in every state," says Executive Director Fenella Rouse. The right-to-die movement is not pursuing a national living-will law, but a pending Senate bill would require hospitals receiving federal funding to notify their patients of relevant state laws.

Estimates of the numbers of Americans who have made living wills vary from 9 percent (AMA) to 15 percent (Gallup). But despite the occasional publicity bursts generated by a Karen Anne Quinlan or a Nancy Cruzan, right-to-die groups have trouble getting their message across. Ensuring death with dignity requires a certain amount of morbid foresight. Drawing up a living will means sitting down and contemplating seriously the unthinkable. "It is something people don't want to think about, especially young people," Rouse says.

Given this reluctance, there will continue to be Quinlans and Cruzans, even if living wills are made legal throughout the country. In such cases, the family should be allowed to withdraw life support once it is clear that the patient will not regain consciousness. This may require a modification in the legal definition of death. Certainly we must reject the premise that the state may properly require either relatives or taxpayers to maintain a permanently comatose patient indefinitely. While living wills are no panacea, they can help to prevent such

situations from arising.

Another legal device for passive euthanasia that the SRD advocates is extending durable power-of-attorney provisions to medical decisions. The durable power of attorney, which transfers the decision-making powers of an incompetent person to a specified party, now covers medical decisions in 31 states and in about a dozen states specifically includes the right to withdraw life-supporting treatment. The first statute that explicitly extended the provision to medical treatments was passed in California in 1983.

Concern for Dying, which was known as the Euthanasia Education Council until 1980, also supports and distributes living wills but has not taken an active role in their legalization. "We're not interested in legislation," says Giles Scofield, president of Concern, which has 135,000 members. "Legislation tends to curtail the rights people have." His approach is absolutist: Any law that enumerates rights regarding medical treatment can be interpreted to exclude other rights, when in fact the right to refuse treatment is inalienable. "Just because a law exists or doesn't exist, doesn't mean people don't have the right to die," Scofield says. Maybe not, but laws legalizing living wills can prevent misguided hospital officials from prohibiting passive euthanasia in certain circumstances.

Concern's position on legislation has been a bone of contention between it and the SRD. The two groups shared offices until 1980, when they broke over Concern's antipathy for lobbying. The same year, the SRD brought suit against Concern over financial disagreements and won a $275,000 settlement. And in 1982, the SRD opposed Concern's admission to the World Federation of Right to Die Societies, an international umbrella organization founded in 1980. Now, however, past differences seem to have been resolved. "There was a period of animosity between us that is over," says Rouse. The two organizations are still housed in the same New York City office building, separated by only a floor.

The tactical split between the SRD and Concern is minor compared to the differences between those two groups and the Hemlock Society, which supports active euthanasia. This position puts the society at odds with public opinion as well as the rest of the movement. The fence between active and passive euthanasia has been reinforced in recent decades, as the two practices have acquired distinct cultural, moral, and legal meanings.

Passive euthanasia has won grudging but virtually universal approval. The American Medical Association condones the practice, as do most religious authorities—among them many Protestant denominations, the three major movements of Judaism, and even the ardently pro-life Catholic church. Dozens of judicial jurisdictions have sanctioned passive euthanasia in a series of decisions, the Missouri Supreme Court's *Cruzan* ruling notwithstanding. Passive euthanasia is widely regarded as a logical, humane, and sensible process for ending both the quasi-existence of insensate patients and the agony of their all-too-feeling families.

After publication of *Jean's Way*, "hundreds of people wrote to me for help in dying," says Hemlock Society founder Derek Humphry.

Active euthanasia, on the other hand, is almost universally rejected—condemned by religious groups, disavowed by the medical establishment, and prohibited by law. Americans are understandably queasy at the thought of active euthanasia because of its potential for abuse. During the late 1930s and early 1940s, the Nazis, before they began eradicating Europe's Jews, euthanized more than a million retarded, deformed, and otherwise imperfect citizens. Acts of involuntary, active euthanasia, these merciless killings have demonized the term *euthanasia*, whose original Greek meaning is "good death."

"Euthanasia came to mean, for many people, active, involuntary euthanasia," says SRD's Rouse. Largely because of this perception, the SRD and Concern for the Dying have distanced themselves from active euthanasia, which they once supported. But as the major right-to-die organizations were renouncing the practice in the late 1970s—deleting *euthanasia* from their titles and focusing exclusively on living wills—British journalist Derek Humphry, founder of the Hemlock Society, "realized there was a gap and stepped in."

Humphry's involvement in the movement grew out of personal experience. In March 1975, he mixed a fatal solution of medication for his cancer-stricken wife, Jean, who was in her last, excruciating days. In 1978, after publishing *Jean's Way*, a moving account describing his wife's assisted suicide, Humphry moved to the United States. *Jean's Way* had received a great deal of publicity, and "hundreds of people wrote to me for help in dying," Humphry says. Emboldened by this new-found recognition generated by appearances on television talk and news shows, Humphry and his second wife, Ann Wickett, announced the formation of the Hemlock Society at a Los Angeles press conference in 1980.

The Hemlock Society's professed primary goal is to "promote a climate of opinion that would tolerate the right of people who are terminally ill to end their lives in a planned manner." Meanwhile, the Hemlock Society provides information on how terminally ill people can commit suicide. It has produced a chart of 18 different drugs and their respective lethal dosages. And in 1981 Humphry published *Let Me Die Before I Wake*, a "guide to self-deliverance" that describes in explicit detail how several terminally ill people have ended their lives. These publications, however, are not sold to the general public; they are available only to Hemlock Society members "for possible self-deliverance from a future terminal illness."

Disavowing suicide as an alternative to an unhappy life, the Hemlock Society advocates "rational suicide," whose moral and legal justification springs from the indisputable right to receive or refuse medical treatment. The group carries that

logic one step further: People for whom death is imminent and inevitable should have the choice of receiving fatal medical treatment that would end their lives without pain.

Humphry has encountered some opposition in his crusade, largely from the Roman Catholic Church and from fundamentalist Christians. The medical establishment, he says, "has not taken a stance for or against the Hemlock Society." But some opposition has come from within the right-to-die movement itself. In 1981, Concern for Dying condemned *Let Me Die Before I Wake* because of the potential for abuse of active euthanasia. The Hemlock Society is tolerated but not supported by the mainstream right-to-die organizations; the SRD's Rouse described the relationship as "peaceful coexistence."

In nine years, the Hemlock Society has grown from 3 to 30,000 members. Run out of its national headquarters in Eugene, Oregon, it now includes 51 local chapters that conduct briefings, produce videos, and publish newsletters. At first, the Hemlock Society, like Concern, eschewed legislation. But now the chapters take active political roles in trying to enact the society's pet piece of legislation: the Death with Dignity Act.

The act is relatively simple. It would legalize living wills that request active euthanasia under certain conditions: The patient must suffer from a terminal disease and in all likelihood have no more than six months to live, and at least two physicians must confirm this prognosis independently. After the diagnosis, the patient must recertify in writing his or her wish to die, with two disinterested witnesses, unrelated to the patient, present. Any medical personnel administering aid in dying could do so with impunity.

Ideally, people would make such living wills before falling ill. But under the proposed law, those who had not done so prior to the terminal diagnosis could, after two weeks, make a similar written directive. Humphry says these safeguards ensure that any action would not be a rash, split-second decision made in a moment of desperation and depression.

While the six-month deadline was admittedly drawn arbitrarily, the logic behind the rest of this legislation is compelling. Competent people can make living wills requesting that their lives not be prolonged artificially when they are incompetent and feeling no pain. It only follows that people can choose to end exceedingly painful lives that are near their natural end anyway. For many people in final stages of terminal illnesses, life is a constant burden. And for those who feel they and their families truly have nothing to gain by hanging on for a few more weeks, this is an avenue of exit that should remain open.

As with other right-to-die issues, California has been a bellwether state for active euthanasia. In 1988 a drive to place the Death with Dignity Act on the ballot fell 100,000 signatures short. Legislative efforts are still underway in California, as well as in Washington and Oregon.

Legislation is clearly not the only answer for the conflicting segments of the right-to-die movement. Only a uniform set of laws covering living wills and aid in dying would provide adequate protection of the right to refuse treatment (and to end life prematurely in the case of terminal illnesses) for everyone. But no national legislation is pending, and existing state laws on living wills and passive euthanasia vary widely. No state permits active euthanasia, and none seems ready to do so.

A bold Supreme Court decision articulating a constitutional right to die and granting families the authority to remove life support from hopelessly comatose relatives would prevent future Nancy Cruzan scenarios. An unambiguous judicial sanction of passive euthanasia would also encourage legal protection of the practice in states where none exists. But the Rehnquist Court has displayed little proclivity for broad decisions upholding individual liberties. More likely, the Court will rule for the Cruzans on narrow procedural grounds.

Even if the Court were to issue a broad decision, relying on enlightened legislators and judges to ensure dignified deaths may not be wise. As the SRD's Rouse says, "Laws don't always mesh with reality." It would be impossible to make a law that provides for every medical possibility. The alternative is to "create a climate of opinion"—a phrase all the right-to-die leaders use—conducive to the practice of euthanasia. By discouraging legal complaints and prosecution, such a climate would protect the right to die even when the law does not.

With regard to passive euthanasia, this is a done deal. The vast majority of doctors and hospital officials don't hesitate to withdraw life support from patients who appear to be in permanent comas. The wrath that Missouri has incurred from the medical, legal, and religious communities over the Cruzan case shows just how strongly a wide spectrum of opinion favors passive euthanasia.

The climate for active euthanasia is less favorable. And the Hemlock Society would do best to make its argument purely on the basis of individual choice. Medical, legal, and religious endorsements of active euthanasia as sound and ethical policy are welcome, but they are not necessary. The development of attitudes that respect the rights of individuals to choose how to approach their final days (and ultimately their deaths) is far more important. The only place for the law is in distinguishing between assisted suicide and murder by confirming the patient's consent.

Society has a general interest in keeping its members alive. For the terminally ill, however, the choice is not between life and death, but between a good death and a bad death. Assisted suicide is a humane and compassionate alternative to months of unmitigated misery that inexorably end in death.

"About two million people die each year, 80 percent of them in hospitals," says Rouse. "Of those, 80 percent die as a result of someone's decision." Someone—usually a doctor, in consultation with family members—decides to end treatment or forgo extraordinary measures. That someone, wherever possible, should be the afflicted individual. Whether protected by living-will laws or a sensitive climate of opinion, the decision should be made without interference from the government. ◻

Daniel Gross is a reporter-researcher at The New Republic.

REFLECTIONS ON THE REVOLUTION

THREE EMIGRES LOOK HOMEWARD

THE EMPIRE STRIKES BACK?

BY PETR BECKMANN

I continue to be exhilarated by the news from Czechoslovakia and the other colonies of the Soviet Empire, particularly by the abundance of young faces in the demonstrations and in the political action committees. It was gratifying to see Czechs born in the 1960s marching under signs declaring "Truth Shall Prevail." That was the motto of T.G. Masaryk, Czechoslovakia's legendary founder, dead since 1937, turned into an unperson by the communists, yet enduring in unfaded memory.

Czechoslovakia is the only Soviet colony that has known democracy for a considerable time (1918 to 1938). It is therefore possible that democracy and free enterprise will succeed there more vigorously than in other colonies—but for how long? I feel it necessary to throw a little cold water onto the general euphoria.

A minor reason is that while everybody hates the secret police and the enthronement of stagnant imbecility, many have gotten used to "army life," in which food, shelter, and medical care are provided at the price of keeping in step and following orders. (Why do you suppose 71 percent of East Germans initially opposed reunification?) Many have become accustomed to a leisurely pace of work: "They pretend to pay us, and we pretend to work" has become a way of life.

Another reason is the attitude that capitalism, though a good system for providing quality goods in abundance, is immoral in its greed and ruthless use of elbows. The idea that the foremost virtue of capitalism is its morality of noncoercion, and that it is a system favoring the consumer, not the capitalist—well, that idea is not very well known in the United States, so don't expect a Czech, let alone a (more economically backward) Bulgarian to accept it overnight.

But mainly it seems unlikely that Gorbachev's regime, which has made these incredible revolutions possible, will last. As in the Roman and Ottoman empires, the homeland of the Soviet Empire is far more backward than many of its colonies in everything but military power. As the fate of the Greeks was decided in Rome and Constantinople before their final debacle, so the fate of the Czechs and Hungarians is still ultimately decided in Moscow. And in Moscow, the KGB, the army, the party apparatus, the bureaucracy—those who have everything to lose and who have guns—are waiting to pounce on Gorbachev. So are the czarist-Russian chauvinists, and so are the Islamic religious fanatics in Asia. Their day is approaching as the economy grows steadily worse, as ethnic unrest tears at the fabric of the Soviet Union, and as the forcibly annexed Baltic republics seek secession from the empire.

The economy is deteriorating because Gorbachev's *per-*

estroika ("reconstruction") is not *perestroying* anything. He is patching up and tinkering with central planning; he is not abolishing it. Like a cannibal willing to comply with all the standards of civilization except in the matter of consuming human flesh, Gorbachev is willing to experiment with all forms of freedom except in the matter of socialism and private property.

The West is blind not only to these domestic issues, but even to the fact that not a single Soviet soldier of the occupation armies has left the colonies (except Afghanistan, where their job is being done in part by Soviet surrogates, in part by Bush's wimpish withholding of arms from the freedom fighters). Nor has a single Soviet adviser been recalled from the imperial outposts in Africa and Central America. The flow of arms to Cuba and Nicaragua has not stopped. While the Soviet people are ever shorter of food and other necessities, the military is in better shape and better equipped than when Darling Gorby came to power. The ratio of Soviet to U.S. military expenditures (20 percent and 6 percent of the respective national budgets) is steadily increasing.

For the colonies now trying to break away from the tottering empire, these are life-or-death issues. Should the worst happen, and Soviet tanks once again roll into Budapest, Prague, and Berlin, the Soviets can be sure that the West will send protest notes, followed by credits, trade agreements, and disarmament negotiations. Even now the United States and the West, like an imbecile who trades his fur coat for a swimsuit in a January thaw, are quarreling over how to spend the "peace dividend" and pouring more credits and technology into the bottomless abyss of communist mismanagement.

Can the captive nations break out by themselves, then? Perhaps; but the Greeks and Egyptians did not break away from Roman rule by themselves—their captivity ended when Rome was overrun by the barbarians. And Turkish rule ended only after a long and debilitating illness of the Sick Man of Europe.

"But it simply cannot ever go back to the old ways!" I cried in exasperation in a discussion with a Hungarian friend in Budapest five months after the 1956 revolution.

I have never forgotten his answer. "You hope, or you believe?"

Gorbachev's perestroika ("recontruction") is not perestroying anything. He is patching up and tinkering with central planning.

And yet and yet and yet—it seems almost sinful to be so pessimistic in face of the ecstatic elation of the crowds in Wenceslas Square. And I do believe there is hope. There is hope that the colonies can peel away before Gorbachev is replaced by Comrade Stolypin (the name of the czar's minister in charge of repression after the 1905 revolution). There is hope that Soviet intellectuals will be joined by a disgruntled class of blue-collar workers. There is the fact that that the morons of stagnation—the Brezhnevs, Jakeses, and Honeckers—blunder even more than their opponents do. Perhaps freedom and truth will prevail.

You hope, or you believe?

I hope.

Petr Beckmann emigrated from Czechoslavakia in 1963. He is publisher and editor of Access to Energy *and professor emeritus of electrical engineering at the University of Colorado.*

A SERIES OF SURPRISES

❖

BY STEPHEN VIZINCZEY

Whatever happens next, one thing is certain: communism is bankrupt, and the process of disintegration is irreversible. Those in power would like to hang on to office by any means, but advocates of the Chinese solution—a new wave of imprisonments, executions, shootings of protesters—suffered their final defeat in Romania. I think we can stop worrying about Gorbachev being overthrown by a neo-Stalinist coup d'état. What the successful revolution in Romania proved beyond a shadow of a doubt is that shooting does not work, at least not this side of Mongolia. The last shots in defense of the communist system in Europe were fired by the cornered and crazed members of Ceausescu's Securitate.

Future fights and convulsions will erupt from nationalist feelings. The revolution of December 1989 in Romania had its origins in the Trianon treaty of 1920, which cut away more than two-thirds of Hungary's territory and more than a quarter of its population and gave them to Romania and the newly created states of Czechoslovakia and Yugoslavia. The same borders were thoughtlessly reimposed at the end of World War II, reestablishing a Romania of irreconcilable cultures and interests—one of those combinations which tend to breed the bloodiest regimes.

The revolution started on December 17 in the ancient Hungarian town of Temesvár, now known by its Romanian name of Timisoara, with the arrest of a Hungarian Protestant pastor, Làszlò Tökés, the best-known representative of the oppressed Hungarian minority which in 1945 numbered around three million and has since been reduced to around two million. These people were deprived of all their schools, theaters, newspapers, radio stations; the churches were the last bastions of Hungarian culture, religion, language, and national consciousness, and the priests

were the Hungarians' last spokesmen—which is why the Securitate kept arresting and murdering them.

The parishioners of László Tökés were determined to save him from this fate. They formed a human chain around his house in a vain effort to prevent the police from taking him away, and when they marched to the main square of the town to protest his abduction, the Romanians joined them. They were shot down from helicopters and run down with tanks; 3,500 of the 7,000 people who died in the whole country during the revolution were killed in the town of Temesvár/Timisoara.

There is of course great sympathy and solidarity in the aftermath of the revolution, and the Romanian authorities have referred on the radio to "our Hungarian brothers," but I doubt that they will be so eager to give them back their universities, their newspapers and radio stations, their right to live as Hungarians. In light of the historical record, it seems unlikely that Romania will grant equality to its various nationalities, and if it does not, some kind of explosion will follow.

Apart from their nationhood, language, and religion, people in the Warsaw Pact countries believe in nothing so much as in America.

This is even truer of the Soviet Union, the name for Russia's latest and possibly last empire, which is bound to be transformed beyond recognition or disintegrate into chaos within the next decade. Lithuania is a small country, but to crush a small country the Red Army would need to use Russian soldiers when Russians themselves no longer believe in the empire, or soldiers brought from Armenia, the Ukraine, Moldavia, or Azerbaijan, who want exactly the same thing as the Lithuanians want—national independence.

Since the last thing we need is for Gorbachev to be unseated by nationalist revolts, there is a tendency among so-called foreign policy experts to wish away the problem of nationalism, to downplay its importance and whistle in the dark about the end of history, the victory of liberal internationalism. But nationalism is as deep as the ego, as ineradicable as pride in one's own kind. It could be suppressed in the past by a Russia which faced largely ignorant subject populations, exhausted by recent wars and knowing nothing of their strengths. None of these conditions apply after decades of peace, the increase in literacy, the advance of technology, and the general dissemination of political news through the mass media.

I don't see what the West can do about the Soviet Union except to support peaceful reformers like Gorbachev. Nor do I think it matters much what the intentions of Russia's present leaders are. The situation is so complex that no policy, however intelligently formulated, is likely to have the intended result. Events in the Soviet Union are going to be a series of surprises, to the Kremlin as much as to everybody else. But it can be said with some certainty that the Soviet Union, torn by its own gigantic problems, will represent no danger to the rest of the world—unless some mad Russian chauvinists seize control for long enough to nuke the rebels in Tbilisi or Kiev and we all have to live or die with the fallout.

What will happen in the rest of Eastern Europe is easier to predict. There will be a united Germany within a couple of years, whether we like it or not; the borders mean less and less by the day. The only way to make sure that this new Germany is not going to be a menace to the world is to help create strong democracies as buffer states between Germany and Russia. One way to do this is to help them to solve their not-insoluble national grievances. For example, Norman Stone, professor of modern history at Oxford, has proposed a separate state of Transylvania in which Hungarians, Germans, and Romanians would be more or less equal in numbers and thus could form a federation like Switzerland without the danger of oppressing each other. Insisting on the wisdom of the Versailles borders, which have already caused a world war, is not a sensible option.

Apart from their nationhood, language, and (in varying degrees) religion, people in the Warsaw Pact countries believe in nothing so much as in America. Last summer I spent two months in Hungary, where the handsome and brilliant American ambassador to Budapest, Mark Palmer, has become one of the most popular men in the country. And David Funderburk, the former U.S. ambassador to Romania, is actually loved. People remember that when the Reagan administration was supporting Ceausescu, Funderburk spoke out against him and spoke up for the persecuted Hungarians. He is certainly a man whom the State Department needs today in Eastern Europe.

As for the kids, they believe in nothing but Hollywood. My 14-year-old niece has at least a dozen magazine covers and posters of Tom Cruise on the walls of her room and constantly pesters me to find out where she could write to him. Whether one considers the universal desire to learn English or the popularity of American food, clothes, films, television series, and pop music or the huge sale of American posters and T-shirts—the craving for everything American—it is clear that the United States exercises a stronger attraction on young Hungarians than any other Western country. And I hear that feelings and attitudes are similar in neighboring countries.

All this means that the United States has an immense opportunity to help to build strong democracies in Eastern Europe, leaning toward America rather than Germany. Such democracies between Germany and Russia are the only guarantee of peace in Europe, and their creation could cost less than a dozen superfluous missiles and a couple of bombers.

Money is all-important, for these countries are burdened with immense debts and higher interest rates than those charged by Western banks to far richer countries in Latin America. This means higher rents, heating costs, food prices. As the government subsidies which kept living costs artificially low are removed, people will be poorer and more miserable than they

were under communism. Extreme poverty and the ensuing political chaos would be bound to turn these countries from Soviet colonies into German colonies, creating an Eastern Europe very much like the one we had before World War II.

This situation has arisen through no fault of the citizens of the region. The truth is that the Soviet colonial system went bankrupt decades ago and was irresponsibly and callously sustained by Western and Japanese banks. They lent the money that kept the inefficent state-owned industries afloat and paid for the Mercedes-Benzes and villas and high living of the secret police and ministers and functionaries, of all the quislings who served Moscow. The Kádár regime in Hungary, which hanged and imprisoned everybody who was not content to live under Russian rule, received $17 billion in loans from German and Japanese banks to buy popularity, or at least the tolerance of the people, with "goulash communism."

Without these loans, the communist system in Eastern Europe would have collapsed decades ago. Moscow's most helpful allies in the West were not the leftist intellectuals or anti-Vietnam War protesters, but the banks. They lent billions to make communism tolerable, and now they appear bent on destroying the chances of democracy and free enterprise by asking for their money back at the highest interest rates. It seems to me that only if they give the newly liberated countries of Eastern Europe the same sort of breaks they have given to Mexico, Argentina, and Brazil can the chaos of extreme poverty be avoided.

In short, the future face of Eastern and Central Europe no longer has much to do with the Soviet Union: It will be decided by the Western powers. And their first task is to stop wasting time and brainpower on the vanishing communist threat and to start concentrating on the problems and dangers arising from the collapse of the Soviet colonial system.

Stephen Vizinczey, the Hungarian-born novelist, escaped to the West after fighting in the 1956 revolution and now lives in London. He is the author of An Innocent Millionaire *and* In Praise of Older Women.

AID FROM THE HEART

❖

BY ALEX KOZINSKI

"We are free, Aliosha. The nightmare is over," says Lidyia's faint voice at the other end of the line. After a few moments of silence, during which I hear sobbing, she adds, "I didn't think I would see it during my lifetime."

It had been a young Lidyia who saw me and my family off on that windy, snow-covered railroad platform 28 years ago, the day we left Bucharest forever. For us, it has been a quarter-century of freedom and prosperity; for her, like the others we left behind, the nightmare that would become the Romania of the '60s, '70s, and '80s. Now, at the threshold of the final decade of the 20th century, middle-aged and somewhat broken by an ordeal few of us can imagine, she is overcome by joy, relief, disbelief. Like 20-odd million other Romanians, her capacity for absorbing the changes of the previous three weeks has been taxed to the limit.

What next? She doesn't know, but the future must surely be better than the past.

Romania presents what may be the extreme case of the dilemma faced by the newly liberated peoples of Eastern Europe. United for a brief moment by hatred for the system that has oppressed them for two generations, they have managed, against all expectations, to topple even as cruel a dictator as Nicolae Ceausescu. But what lies ahead may be even more difficult. How do you build a modern industrialized society in a country whose industrial base has been reduced to rubble through decades of destructive centralized planning? How do you establish a democracy among people who have never, in their lifetimes, participated in democratic government? How do you keep a lid on centuries-old ethnic and regional rivalries to build a workable economic and legal system?

These are the very real problems the people of Eastern Europe will have to grapple with as the flush of victory passes and the reality of self-governance sets in. In Romania the problem is made even more difficult by the absence of any experienced leadership, a result of Ceausescu's ruthless elimination of anyone who might have challenged his iron-fisted domination over his fellow citizens.

They will surely succeed, but the degree and speed of their success may vary dramatically, depending on the choices they make in the next two or three years. Some in the West have sniffed that Romania has already taken a wrong turn by executing Ceausescu under circumstances reminiscent of his own tactics. In light of the unprecedented events of recent weeks, this is a misperception. While, under more sedate circumstances, a secret trial and execution would certainly have been unacceptable, we are in no position to pass judgment on a people in the midst of a revolution whose outcome was, at the time, still in doubt.

The number, training, and fanaticism of the Ceausescu loyalists, even after their leader was killed, attests to the real danger—to say nothing of the perceived danger—in which the fledgling freedom movement found itself. As Aristide Buhoiu, editor of the U.S. Romanian language paper *Universul Liber* noted, "When you are battling a dragon, you must cut off the head." Of far greater significance is the fact that, order restored, the new government has refrained from any acts of revenge against captured members of the Securitate, who kept the country in Ceausescu's clutches for almost 25 years.

Mistakes will be made; early American leaders certainly made their share, the most serious of which—acceptance of slavery—we are still paying for today. But the Romanian people, like the other peoples of Eastern Europe, have far too vivid a memory of the evils of despotism; they are unlikely to sink into the same morass. The societies they build may not resemble ours in the short run, but surely they will far less resemble what has just passed.

There is much we in the West can do to help Romanians and the other peoples of Eastern Europe find their destiny. I don't mean by way of government aid, although that may have a role to play. Far more important is the aid that comes from the heart, as our citizens and private institutions reach out to embrace the newly liberated peoples of Eastern Europe. What Romanians now need most is an influx of Western ideas from which to choose in molding their own destiny. The ability to communicate with someone from the West—freely, without fear—is something most Romanians have never experienced. American universities can contribute immensely to the development of that country by making room for Romanian students; private institutions and individuals can help by making financial aid available. For the great majority who cannot travel outside the country, visits from American scholars, businesspeople, and tourists can provide an invaluable opportunity to exercise the newly found freedom of debating ideas with individuals from other societies.

How do you establish democracy among people who have never participated in democratic government?

And, in the short run, a letter or card, together perhaps with a few dollars, from someone in the United States can provide an immense measure of relief and encouragement to a people just waking from a very long, very horrible nightmare.

Outside my home in Los Angeles flies a tricolor Romanian flag, with a large hole in the center where the Communist insignia once was. Every day a few people stop to give a word of encouragement, to say they are with us. Unfortunately, most Americans don't know how to convey their sentiments to the people who most need to hear them: the rank-and-file Romanians in Romania.

To those who wish to help, I suggest they contact members of the organized Romanian community. Buhoiu's paper is one: *Universul Liber*, P.O. Box 529, North Hollywood, CA 91616. There are others, I am sure, in every large city. It is difficult to explain the good that individuals can do by taking the time and trouble to make a personal contact of that sort. And in doing so, they may well find a friend and become part of history. ■

Alex Kozinski is a judge on the Ninth Circuit Court of Appeals. He left Romania in 1961 and came to the United States in 1962. His friends in Romania know him as "Aliosha." This article is reprinted from the Los Angeles Daily Journal.

All around the world, socialism and central planning are being rejected:

- East Germany tears down the Berlin Wall.
- In Australia and New Zealand, Labor governments abolish subsidies and deregulate their economies.
- Socialist Felipe Gonzales (Spain) and Peronist Carlos Menem (Argentina) join Margaret Thatcher's privatization bandwagon.

Behind these dramatic developments is a *revolution in ideas* that started more than 30 years ago. "The New Enlightenment" for the first time tells the behind-the-scenes story of this intellectual revolution.

Co-produced by the Reason Foundation and Britain's Diverse Production, Ltd., this three-hour video documentary features many of the key thinkers who have waged this battle of ideas, including F. A. Hayek, Milton Friedman, and James Buchanan.

You will also meet writers and thinkers like Charles Murray, George Gilder, Irving Kristol, and Walter Williams.And you'll meet some of the entrepreneurs who are waging the new capitalist revolution—from Sony's Akio Morita to California robot-makers to Italy's underground entrepreneurs.

You can order this six-part documentary for viewing at home and showing to local schools and civic groups. The complete set, on three 60-minute videocassettes, is just $149.95, postage paid.

Please send me ___set(s) of "The New Enlightenment" on video at $149.95 each. My check is enclosed. (California residents please add 6% sales tax.)

NAME_____

ADDRESS_____

CITY/STATE/ZIP_____

(Please allow 4 to 6 weeks for delivery)

Reason Foundation
2716 Ocean Park Blvd., Suite 1062
Santa Monica, CA 90405

MONUMENTS TO SLAIN TREES

BY MARTIN MORSE WOOSTER

There was a time when environmentalists were an important and necessary part of American letters. From Henry David Thoreau to Annie Dillard, there has been a long, healthy, and necessary tradition of cranky, irritating, and brilliant American writers heading for the frontier and reporting on what they saw and felt.

But from Earth Day 1970 onwards, environmentalism became a *mass* political movement, one in which the organization counted for far more than the individual. As these groups grew in strength and importance, the battlefields in environmentalism shifted from the wildernesses of the West to the corporate jungles of Manhattan and Washington. The heroes of the environmental movement today are not people who live in the wild, but K Street lobbyists able to get bills passed or Madison Avenue publicists who are successful in planting stories in the press or writing lucrative fundraising letters.

It is this mass homogenization of the environmental movement that bothers me the most. I would be more persuaded by environmentalism if there were more forceful writers advocating it, more individuals who, like Aldo Leopold or John Muir, used their own thoughts and deeds as the basis for defending nature. But with rare exceptions (most notably Wendell Berry), nature writing has been a victim of the bureaucratization of the environmental movement. You cannot write lyric, impassioned phillipics about the need to amend the Resource Conservation and Recovery Act.

I'm also troubled by the increasing tendency among environmentalists to preach in what Jay Walljasper, in the *Utne Reader*, described as a "puritanical tone of penance." For many Americans, environmentalism is a debased form of Christianity, in which Christ's redeeming love does not exist. In their eyes, every American is a sinner; every polystyrene hamburger container, every plastic soda bottle, every chemically produced piece of clothing moves the world one step closer to eco-Armageddon, that certain earthly hell where we will all choke on our own wastes and stew in our greenhouse gases.

The leading American apocalyptic is writer Bill McKibben, whose misanthropic tract *The End of Nature* alternates between a series of extended whines about fiendish neighbors in the Adirondacks who disturb his peaceful repose (They block his pristine view! They make *noises at night*!) and rants about the inevitable evils of our consumerist society that come as close as decency allows to urging everyone to kill themselves in order to make the world a better place to live. (After all, if you're dead, you can't pollute, can you?)

The approach of the environmental magazines is usually more subtle. Looking through their publications, I could detect no differences among the views of the National Audubon Society, the Wilderness Society, the Sierra Club, the Natural Resources Defense Council, or the National Wildlife Federation. Perhaps they have had philosophical differences in the distant past, but the main differences among their publications today are cosmetic. I suspect subscriber surveys would show that readers of *Sierra* tend to be rich yuppies, while *National Wildlife* readers prefer to buy their clothes at J.C. Penney rather than Banana Republic. But all these organizations stand for the same principles and fight the same battles.

The differences among *Audubon*, *Sierra*, *Wilderness*, *National Wildlife*, and *The Amicus Journal* (the Natural Resources Defense Council's publication) are so slight as to be unimportant. *The Amicus Journal* has somewhat better political coverage than its competitors; *National Wildlife* is more middle-class than the others, and *Audubon* is a little more snobbish. But environmental magazines tend to utilize the same freelancers and, in many cases, run nearly the same articles. Most of these magazines, for example, featured 25th-anniversary tributes to the Wilderness Act of 1964 in their November issues.

In an environmental organization's magazine, you will always find superb photography and many advertisements for expensive toys and gadgets. You will also find at least one article that fits the following template: A pristine wilderness is threatened by evil developers, loggers, or other capitalists. Then selfless bureaucrats, committed only to goodness and environmental purity, create The Plan, designed to preserve the wilderness from destruction.

Sometimes, as in "Portrait of a Deepening Crisis," by Peter Steinhart, in

BOB ECKSTEIN

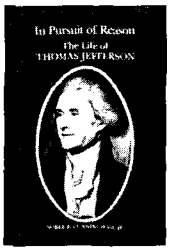
Libertarian Interns

Capitol Hill think-tank needs interns to assist with a wide variety of research and public affairs duties. Undergraduates preferred. Volunteer and paid positions available year-round. Contact Morris Barrett. **Cato Institute, 224 Second St., SE, Washington, D.C. 20003. (202) 546-0200.**

CATO INSTITUTE

BOOKS ON CASSETTES

- Unabridged Recordings
- Purchase & 30 Day Rentals
- Columnist George Will has stated, "I go through a book a week using time otherwise wasted in taxis, shaving or walking." (NY Times)
- Try listening to full-length recordings of books by the world's greatest minds. We specialize in Biography, History, Politics, Economics, Philosphy, Religion, Social Issues, and Timeless Literature.
- For Free Catalog, Call



1 (800) 729-2665

WICHITA COLLEGIATE SCHOOL

A College Preparatory Institution

Seeks an Economics instructor for Fall 1990. Ability to teach advanced placement required. Additional teaching fields desirable (History, English, or Mathematics).

Contact:
Kevin Mykel
Head, Upper School
Wichita Collegiate School
9115 East Thirteenth
Wichita, Kansas 67206
316-684-0263

MAGAZINES

the October/November *National Wildlife*, the plan is accepted and the environment is saved. (The North American Waterfowl Management Plan described in Steinhart's story would cost Canadian taxpayers $1 billion and U.S. taxpayers $500 million.) In other cases, the plan is ignored, with dire consequences. In "War in the Woods: Swan Song," in the November *Audubon*, John Mitchell tells how the failure to enact a plan that "tolled off the copy machine at nearly 560 pages" doomed the Flathead National Forest.

The problem with "plan" stories is not only that they show a touching faith in the inherent rightness of the state, but that the formula for these stories inevitably depicts a world divided into black hats and white hats. No doubt—and no compromise—is possible.

While most major environmental magazines present a seamless web of air-tight political correctness, there is dissent within the environmental movement. But the dissenters are largely radicals who think that the large organizations are headed by mushy moderates. Most of the radicals publish in small-circulation journals that are not sold at even the largest newsstands. The highest-circulation radical environmental magazines are those published by animal-rights advocates.

Of all environmentalists active today, animal-rights advocates are the easiest to dislike. They always appear as prune-faced ayatollahs out to destroy the pleasures of life. In the utopia of the animal-rights movement, circuses and zoos would be banned, and anyone who dared to eat anything made out of meat would be ostracized for life.

If the readers and writers of *The Animals' Agenda* are typical, the animal-rights supporter spends her days looking for causes to be outraged by and corporations to denounce. Ordinary objects that most of us would take for granted are used by animal advocates as touchstones for sharing their feelings, whether you want to listen to them or not.

For example, rabbit's feet, according to a letter from reader Julie Wilson in the November issue of *The Animals' Agenda*, are all part of the plot. She explains that she loved fondling these feet as a child, but as she grew up, she became Sensitive and Compassionate. Why, she walked past a display of these feet in a store, and "deep sadness came over me. There they were—red, purple, yellow, and my once favored green. Jumbled up in tiny silver chains awaiting the naive young consumer of animal misfortune."

But Wilson comes off as a moderate in the pages of *The Animals' Agenda*. The magazine gives its readers dozens of corporations to boycott, such as Hallmark Cards, which uses "dead, stuffed models for 'cute' animal poses." The Chinese also receive criticism. While every other media outlet in the country condemned the murderous crimes of Deng Xiaoping and his henchmen, *The Animals' Agenda* reported the real story: The butchers of Beijing had slaughtered 12,000 dogs! "Despite Buddhist influence, which generally injects a gentle approach [sic] towards other animals," the magazine reported, "China has traditionally exhibited a highly speciesist attitude." The slaughter in Tiananmen Square, of course, was not reported.

The one exception among environmental magazines is *World Watch*, published by the Worldwatch Institute. I'm not a fan of the organization's founder, Lester Brown, a man who has predicted nine out of the last two global famines. But I like *World Watch* because its writers at least prefer facts to emotion and economics to political correctness.

In most cases, I disagree with *World Watch*'s conclusions. With rare exceptions—chiefly in the area of selling water rights, where the magazine edges toward the free-market position—the people at *World Watch*, like nearly all environmentalists, favor more regulation and more government spending. But I respect their methods even as I disagree with their solutions. If you want to read cutting-edge environmental analysis, *World Watch* is the best place to find it.

Martin Morse Wooster is the Washington editor of REASON. *Next month: How mainstream magazines cover the environment.*

THE ROAD TO LIBERALISM

BY JOSEPH R. STROMBERG

In 1944, when economist F.A. Hayek dedicated *The Road to Serfdom* to "the socialists of all parties," the intellectual and political currents were running strongly against free-market liberalism. In Great Britain, all parties—Labour, Conservative, and the moribund Liberal Party—shared the disdain for the "vulgar" and "selfish" marketplace. Democratic socialism was ascendant, and Hayek's was one of the few voices in Britain advocating a return to classical liberalism, limited government, and a market economy.

But as Britain enters the 1990s British leftists of all stripes are reeling from the failures of their government's socialist policies and the political victories of Margaret Thatcher. The challenge to socialists now is to make their policies relevant and attractive to voters in the next decade. Increasingly, classical liberalism, particularly as expressed by Hayek, is being taken very seriously by the British left.

The British postwar political consensus rested on socialism and the welfare state. Key industries—steel, coal, communications—were nationalized, and medicine very nearly so. But after 30 years, these policies turned Britain into an economic basketcase. Beset with strikes, high taxes, pervasive controls, and inflation, Britain limped through the 1970s as the sick man of Europe.

The return of the Tories to power in 1979 might have made little difference had not Margaret Thatcher and her closest associates been in touch with a body of ideas variously called the "new enlightenment," the "new liberalism," or "New Right." The Tories have undertaken to alter radically the direction of British politics.

In Great Britain, the left is abandoning its cry for central planning and instead turning to F. A. Hayek for new ideas and inspiration.

For the moment, advocates of the free market seem to have the ideological initiative. Carmen Callil of the left-wing publishers Chatto and Windus complains that this is "a time when right-wing thought dominates the exchange in political ideas." Both on the level of practical politics and that of higher theory, socialists feel constrained to respond to the free-market liberalism espoused by their opponents in and out of government.

Faced with widespread public acceptance of Thatcher's policies, the Labour Party is engaged in a painful policy review, seeking to show that Labour wishes merely to "guide" the market and not abolish it. Headlines such as "Kinnock pledge to free enterprise: Labour will intervene 'only when market forces fail' " are now commonplace. Labour leader Neil Kinnock now calls for "supply-side socialism" in which government "invests, builds and then moves on, rather than retaining any permanent stake in the enterprise it backs." Labour promises that, except for British Telecom, it will not renationalize enterprises privatized by the Tories. Amusingly, after years of ridiculing yuppies who have benefitted from economic growth, Labour plans to offer its own credit card, the Affinity Card, to party members.

Such revisionism doesn't go far enough for some Labour sympathizers. John Willman, General Secretary of the Fabian Society, scorns the "timidity" of Labour's new look: "Labour could be the party of the consumer or the antiprivilege party (provided it was willing to take on privileged groups in the labour market and the public sector)."

Peter Jenkins of the liberal *Independent* notes that Labour "could become once again the voice of modernisation" but only if it "can live down its reputation as the party of nationalisation and the champion of producer interests against the consumer."

Giles Radice, MP for Durham North, thinks Labour is on the right track: "Labour's policy will be based on the extension of individual rather than of trade union rights." But it must be clear the Party would only intervene in cases of "market failure" or to provide "pure public goods."

Some of the responses of socialist theoreticians to the "reborn" free-market ideology are interesting as well. In *Against Socialist Illusion*, David Selbourne writes that socialists are out of touch with real working class values. He argues that—trade unionism aside—individualist and propertarian values run deep in the British working class. By

using the rhetoric of individual rights and liberties (cynically and insincerely, Selbourne suggests) the right has tapped a deep reservoir of popular feeling. Only by showing an equal concern for liberty and property can the British left recapture its lost ground in the late 20th century.

In *The End of Organized Capitalism*, Scott Lash and John Urry compound socialist discomfort. In their view, far-reaching trends are converging in Western societies to wreck the politics of socialism. An increasingly competitive world market is undermining the economic deals made by business cartels, trade unions, and governments within the framework of single nation-states. At the same time, changes in industrial organization and popular residential patterns are eroding class-based politics (especially in the United States, Britain, and West Germany), revealing that "the workers" are not the monolithic vanguard of anything.

Lest this be thought the strange aberration of overwrought leftists, let us turn to the striking essay by Geoff Mulgen, "The Power of the Weak," in the December 1988 issue of *Marxism Today*. In this very thoughtful piece Mulgen compares strong power systems (1920s Ford plants, bureaucracies, armies) and weak ones (mutual aid societies, businesses, markets). He does not mince words: The strong systems waste human energies, treat people as things, are inward-looking, rigid, inflexible, unwieldy, and suffer from the ills of centralized, hierarchical management. "As anyone who has worked in a large bureaucracy knows, most of its energy is used simply reproducing itself." Unfortunately, most of the institutions beloved by socialists—the state, trade unions, and political parties—display just these traits.

By contrast, weak power systems waste less human energy, are outward-looking, making use of competition and cooperation. Their decentralized cellular structures allow networking and make them flexible and able to innovate.

One senses that Mulgen is getting onto very Hayekian ground where unintended consequences do battle with spontaneous orders. Alluding to the issue of socialist economic calculation, he notes Polish economist Oskar Lange's belief that computers would facilitate central planning. But Lange was wrong because "technology runs up against the context in which information is produced." Strong power systems distort information; weak systems give incentives for accuracy. While the central planners plod along, capitalists are running "a permanent revolution in techniques of control."

As acceptance of the death of socialism as the last best hope of mankind becomes widespread, perhaps people of all persuasions will be forced to reexamine the case for the market combined with other private institutions.

The basic flaw of governments, he continues, "probably most effectively described by Friedrich Hayek, is their inefficiency as information systems." Then, in a startling passage worth quoting in full, he adds: "At a time when the market was mainly producing very standardised products using highly-centralised decision-making structures Hayek's argument was only partially convincing. Forty years later, when capitalism has learnt much more quickly than the state the virtues of flexible specialisation, differentiation and of more subtle, multidimensional market research techniques, the critique becomes devastating." The left needs to look into discovering other "weak power structures" compatible with and able to correct what they believe to be the limitations of that other weak power structure, the marketplace.

Now the striking thing about this essay is that it appeared in *Marxism Today*, the theoretical journal of the Communist Party of Great Britain, not in some mildly reformist or Labour Party journal. It doubtless goes much too far for many readers of that magazine. Nonetheless, it clearly points to the impact of both the free-market initiatives of the Tory policy-makers and the long-standing criticisms of socialism advanced by Hayek and his mentor Ludwig von Mises. As acceptance of the death of socialism as the last, best hope of mankind becomes widespread, perhaps people of all persuasions will be forced to reexamine the case for the market combined with other private institutions.

In a 1985 symposium put together by the Institute of Economic Affairs, Matthew Lynn, an adherent of the centrist Social Democratic Party, commented on the relationship between the new liberalism and the Tory Party: "much of what is termed the New Right is anyway more liberal than conservative, and it is certainly a mistake to think that all their ideas are going to find a place in Conservative Party manifestoes. Already, many people on the New Right are becoming disillusioned with the current Conservative Government's unradical attitude to many issues. It may be that a more genuinely radical political force, perhaps the SDP, will be necessary to carry out further market-oriented reforms. If so, within a few years, we may find dated the idea of placing market thinking on the right of the political spectrum."

It may be too utopian to expect such a development at the center of British politics in the near future. But it would be a wonderful thing indeed if one unintended consequence of the Tory years in power was to put market reform somewhere on the agenda of all political contenders. Such a form of competition could be extremely constructive. One might in time be able to dedicate a book to "the libertarians of all parties."

Joseph R. Stromberg is a writer for Knowledge Products who recently returned from a year in Great Britain.

TRIUMPH OVER CAPITALISM

BY WALTER E. WILLIAMS

Racism and capitalism have long been viewed as the twin pillars of apartheid, reinforcing each other while supporting a system of social, political, and economic repression. As a result of this mistaken view, black South Africans and their white benefactors have something in common with apartheid's architects: a hatred of the free market. But unlike the white supremacists, critics of apartheid who oppose capitalism fail to recognize that market forces actually undermine racial privilege. Instead, they conclude that a more just society can be achieved only through socialism. This view is all the more alarming given the changes sweeping South Africa.

The indictment of capitalism and market forces is reflected in statements by Archbishop Desmond Tutu, who, after winning the Nobel Peace Prize in 1984, told London's *Sunday Telegraph*, "I myself hate capitalism." Similarly, Chris Dliami, vice president of COSATU, a black labor union, has said, "The unholy alliance of apartheid and capitalism has become obvious and concrete. One cannot expect to eradicate it simply by removing apartheid....What we are talking about is the total change of the present system."

Some South African whites, wanting a better life for blacks, share this view of capitalism. Raymond Sutter, an anti-apartheid activist, wrote in *Business Day* in 1985: "The struggle for the Charter is therefore an anti-capitalist programme, because any programme to end racial oppression in South Africa must be anticapitalist." Contributing to the connection between apartheid and capitalism in the minds of many South Africans are statements by government officials who refer to their economy as "our free-market system."

Contrary to these mutually reinforcing sets of beliefs, South Africa's apartheid is not a corollary of capitalism. On the contrary, apartheid is the result of socialistic efforts to subvert the operation of market forces. Indeed, it is the free play of market forces—with no intervention by political forces—that has always been seen as the enemy of white privilege and that apartheid ideology has always sought to defeat.

The free play of market forces is the enemy of white privilege, and it has always been opposed by apartheid ideology

South Africa's history is riddled with white contempt for market forces, from the highest levels of government on down. In *A Century of Wrongs* (1900), Prime Minister Jan Christiaan Smuts wrote: "It is ordained that we [Afrikaners], insignificant as we are, should be amongst the first people to begin the struggle against the new world tyranny of capitalism."

In 1941, *Volkshandel*, an Afrikaner business publication, declared: "Every sober-minded, thinking Afrikaner is fed up to the top of his throat with so-called laissez faire—let-it-be—capitalism, with its soul destroying materialism and the spirit of 'every man for himself and the devil for us all.' We are sick of it because of its legacy of Afrikaner poor whiteism and the condition which makes the Afrikaner a spectator in the business of his own country."

This fundamental hostility toward capitalism is not surprising when we consider that white hegemony in South Africa needs to be enforced by law. Indeed, the whole legal structure of apartheid is *prima facie* evidence that market forces, left unimpeded, would not achieve the results desired by the white supremacists. The history of economic regulation in South Africa reveals that racist goals have been served by heavy-handed government intervention, not by the operation of capitalism.

Such intervention occurred well before the establishment of the modern apartheid system, and it was often resisted by businesspeople because it raised their labor costs and hurt their profits. Various laws passed around the turn of the century restricted the number of blacks that could be employed in mines and the kinds of jobs they could fill.

When mine owners broke agreed-upon employment quotas in 1922, white workers, led by socialists and communists, responded with the most violent strike in South African history. They paraded around Johannesburg chanting, "Workers of the World Unite to Keep South Africa White." The government used troops, artillery, and aerial bombardment to restore order. The incident led to the downfall of Prime Minister Smuts and the rise of James Hertzog, who campaigned on a promise to protect white workers.

Under Hertzog, the Industrial Conciliation Act (ICA) restricted the employment of blacks, excluded them from collective bargaining, and outlawed black unions. Later measures gave the labor minister authority to reserve specific classes of jobs for whites only in order to "safeguard against interracial competition."

If we assume that capitalism and apartheid are in accord with each other, these and many other measures to confer privileges on whites are puzzling. South Africa's businesses were owned by whites, so why were racially dis-

criminatory laws necessary?

Clearly, white businesspeople and government officials, while sharing the ideology of white supremacy, did hire blacks in jobs that whites wanted. They did so because blacks were willing to work for lower wages—as much as 75 to 80 percent lower—which meant higher profits. Moreover, in some jobs, blacks were more productive than whites. Government officials saw hiring blacks as a way to meet labor shortages.

White workers, many of whom were no more skilled than black workers, opposed market allocation of resources because it would not pay them higher, "civilized" wages. They were quick to recognize that markets do not respect race. White workers therefore sought privilege through the political arena, urging the government to write laws that would undermine the black competitive advantage.

South Africa's racist agenda and attack on market forces included laws similar to measures widely supported in the United States. White supremacists advocated a minimum wage for blacks and argued that blacks should be covered by the same industrial labor laws as whites. In 1925 the white Mine Workers Union argued: "It is now a question of cheap labor versus dear labor and we consider we will have to ask the commission to use the word color in the absence of the minimum wage, but when that [minimum wage] is introduced we believe that most of the difficulties in regard to the color question will automatically drop out."

Such supporters of minimum wages for blacks and equal-pay-for-equal-work laws have not been motivated by humanitarian concerns. Indeed, wage regulation is one of the most effective tools in the racist's arsenal, because it makes cooperation with racist goals cheaper. By preventing blacks from underbidding whites, wage floors reduce the profitability, and hence the attractiveness, of hiring blacks.

Wage regulation, often known as "rate for the job," therefore served a purpose similar to that of job reservation, which was not nearly as successful as white workers had hoped. Racist unions often complained of violation, evasion, and contravention of job reservation laws by businesses. The unions griped that "there has been a cold-blooded sellout of white workers" and declared that "job reservation is a dead duck, therefore the only protection is a policy of paying the rate for the job."

Even government officials charged with apartheid enforcement would cheat by changing the names of "white" jobs so blacks could be hired; for example, shunters became marshallers and ticket collectors became ticket takers. Officials of the government-owned railways have been known to hire teams of black workers and sneak them in, under the cover of night, to illegally perform "white" work in the railroad yards. In response to objections to such practices in the early 1970s, the minister of transport said, "You want white railway workers. Find me them!"

During the 1980s, long before job reservation and most of the racially restrictive employment laws were officially repealed, they were being repealed by stealth through market forces. Such has been the fate of the Group Areas Act, still on the books, which restricts where people may live and work by race. In the metropolitan areas of Cape Town, Durban, and Johannesburg, which are by law white areas, many neighborhoods are integrated, often with whites in the minority. This is a result of market forces—shortages of housing in nonwhite areas and surpluses in white areas.

As the apartheid regime crumbles, there is a real danger that South Africa will exchange one oppressive system for another. The collapse of socialism in the Soviet Bloc gives hope that this danger can be avoided. Rather than fight capitalism, South Africa's people must strengthen their beleaguered market forces and declare war on centralized government power.

Contributing Editor Walter E. Williams is John M. Olin Distinguished Professor of Economics at George Mason University. This article is adapted from South Africa's War on Capitalism *(Praeger Publishers).*

Research Fellow

The Reason Foundation is accepting applications for a one-year position, beginning this summer, to train recent college graduates for careers in public-policy analysis. Preferred majors include economics, public administration, political science, or related disciplines. Send resumes to:

Dr. Philip Fixler
Reason Foundation
2716 Ocean Park Ave., Ste. 1062
Santa Monica, CA 90405

Up from Libertarianism

by D. G. Lesvic

...answers Murray Rothbard with his own words!

The Political Economy Club of Los Angeles
5668 Cahuenga Blvd., # 313
No. Hollywood, CA 91601

FINANCIAL PRIVACY

Best Techniques for Creating FINANCIAL PRIVACY

- Become "invisible" to investigators
- Stop generating financial records
- Communications privacy...mail, phone
- Using a business to create privacy
- Hiding your assets ■ Privacy from taxes
- Using other "names" ■ Offshore options
- Operating in cash ■ Confidential loans
- Safes, private storage ■ Cash equivalents
- Banking alternatives ■ Second passports
- Profitable private investments
- Tax havens ■ A private will
- Enjoying your assets quietly
- Avoiding financial schemes
- 20 steps to take immediately

THE COMPLETE GUIDE TO FINANCIAL PRIVACY

The Complete Guide to FINANCIAL PRIVACY

16 Chapters, indexed
182 pages

ONLY $24.95

Don't wait! Order TODAY!

Your Choice { ☐ Regular P&H, $2.00 (Please add ☐ FIRST CLASS, $5.00 to order.)
(California residents please add 6% sales tax.)
☐ Send latest Book Catalog — FREE.

EDEN PRESS • Box 8410-RN • Fountain Valley, CA 92728

Name _____
Address _____
City _____
State _____ Zip _____

THE BLACKBOARD JUNGLE

BY DAVID BRUDNOY

I will not talk in class. I will not talk in class. I will not talk in class. I will—shall—in fact stay after school and clean the blackboards and dust the erasers, and I *will* not talk in class. Ever again.

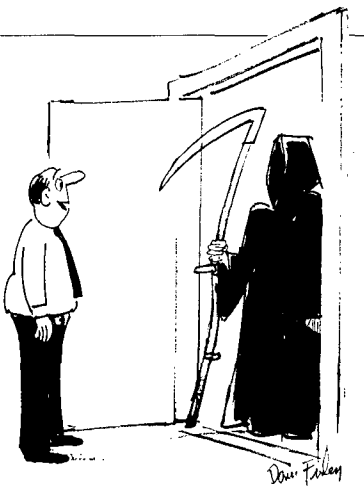
I'm a good child but the connection between talking in class (my crime) and tidying up the blackboards and erasers (my punishment) eludes me. Of course, what am I? A mere child.

Like my teacher, the United States doesn't quite know what to do about miscreants. We send Jim Bakker to jail for 45 years for bilking gullible seekers of heaven out of voluntary contributions. But we keep the average murderer in jail for only 12 years. We sentence Jonathan Pollard to life in prison for stealing relatively minor secrets and giving them to our ally Israel. But we routinely trade real spies to their paymasters. And we employ the RICO statute, designed to catch serious organized crime figures, to prosecute (and persecute) anti-abortion activists and minor peddlers of erotica.

My home state of Massachusetts has the nation's highest car theft rate, but lawmakers continue to treat car theft as a misdemeanor. "Unauthorized use," it's called. A first-time conviction for "unauthorized use" usually doesn't even bring time in prison.

America has neither a consistently draconian punishment system, as in Saudi Arabia, which decapitates first-time drug offenders and lops off the hands of pickpockets; nor a consistently lenient system, as in the Netherlands, where an adult can smoke marijuana or visit a prostitute. We're all over the place, with 50 different state codes and a federal code that overlaps, undercuts, elaborates upon, and, now and again, minimizes those state laws. We've no Confucius to codify our laws and make them resonate to logic.

But we do have one emerging trend: the application of thought-police tactics to certain kinds of crime. Namely, those with the flavor of ideological deviation



"Couldn't I do a couple of hundred hours of community service instead?"

from accepted norms. Various colleges, for example, have tossed free speech out the window and proscribed certain unpleasant thoughts, or, at least, oral or written expression of those thoughts. Specifically, thoughts that offend selected minorities.

And judges in the real world have caught the whiff of this censoriousness wafting through the air and laid punishments on their victims that smack less of jurisprudence than of the Grand Inquisitor. Not for us the slicing off of hands; let's hear it for an adult version of staying after school to wash the blackboards and dust the erasers.

Leona Helmsley, of whom "wicked witch"—or something rhyming with witch—became a common newspaper epithet, suffered a sentence of four years in federal prison and a whopping $7.1 million fine for tax fraud. But this wasn't quite enough for U.S. District Judge John Walker, Jr. He added 750 hours of community service at a home for drug-addicted children.

Rob Lowe, hunklet cutie of the cinema, foolishly fell asleep after taping his frolics with a couple of willing young women in a hotel room during the 1988 Democratic National Convention. The women stole the tape, duplicated it, showed it to friends, reaped the benefits of their self-exposure, and saw the young actor wiggle his way out of a possible jail sentence for contributing to the delinquency of a minor. The convenient arrangement: Mr. Lowe agreed to perform 20 hours of community service, and the prosecutor agreed to drop the investigation. If memory serves, he was sent to tell high school students to just say no. To drugs, that is.

In October, Rhode Islander Stephen Germershausen, convicted of molesting three children, was given 35 years probation—with the added proviso that he had to take out a newspaper ad with his picture in it and a statement identifying himself as a child molester. His ad warns other molesters to "get professional help immediately or you may find your picture and your name in the paper and your life under the control of the state." Superior Court Judge Corinne P. Grande sees her innovative punishment as preventing Germershausen from "slinking back into the dark," but just to be sure, she levied a $1,000 fine on him to be given to a program to help victims of child abuse.

Last fall, two affluent, white teenagers in ritzy Wellesley, Massachusetts, spray painted anti-Jewish and antiblack slogans on some automobiles and buildings. Their case has not gone to trial yet, but the public sentiment, as evinced on the talk shows and in letters to the editor, favors sentencing these two boys, who have acknowledged their guilt, to instruction in better human relations. Their crime of vandalism takes a back seat to their ideological "crime" of having the wrong attitudes. But perhaps the judge will not apply a stay-after-school-and-wash-the-blackboards punishment to the two. Perhaps.

In these cases and countless others, punishment exists in the law sufficient to chastise the actions of the criminals: fines, jail, supervised probation. But

DANA FRADON, © 1990 THE NEW YORKER MAGAZINE

those punishments aren't sufficient in our current climate of policing their *thoughts*. Were Leona Helmsley your ordinary tax cheat, and repentant, maybe she wouldn't be inflicted for 750 hours on some drug-addicted children. (Presumably, we can now count a possible visit from Mrs. Helmsley as one of the dangers of drugs.) Were Rob Lowe a nobody, nobody would have paid vast sums for the tapes of his frolics, and this nobody would either have received a suspended sentence or a short term in jail, if that. Mr. Germershausen, Rhode Island child molester, would in saner times have gone to jail and somebody else, not the convict, would be doing outreach to potential child molesters in paid advertisements. And had our two spray-paint-happy teenagers sprayed "I Love Mom" on somebody else's car, they would be sentenced for defacing property and no one would be chattering about having them learn the right attitude toward mom.

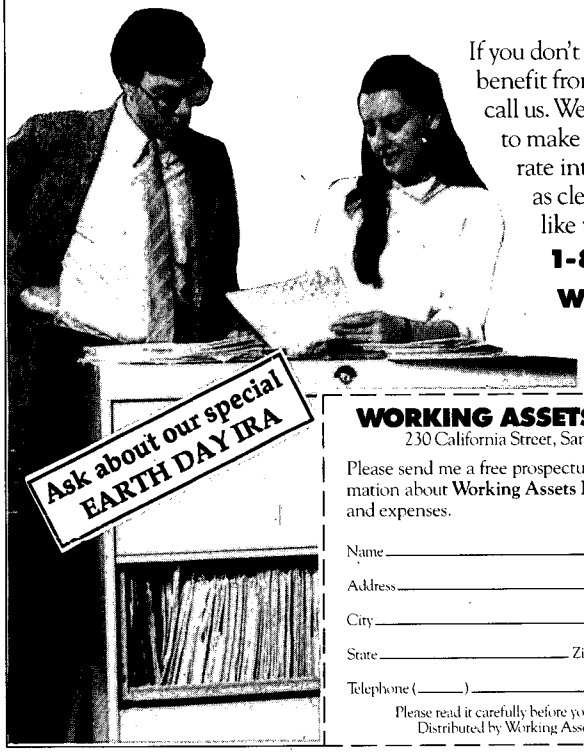
The *reductio ad absurdum* is always at hand: Why not sentence men who run topless bars to counseling at the feet of Betty Friedan? Or those who mumble publicly about the Japanese Menace to instruction in international comity in a Sony touchy-feely therapy group? Or maybe force people who rail against affirmative action to lick envelopes for the NAACP? The possibilities are limitless. And the potential for increased thought-police tactics is also limitless.

Theft and destruction of property are demonstrable assaults upon the rights of others. And we have laws to contend with these crimes. Having the "wrong" point of view about people may be nasty, but in a country that trumpets its adherence to freedom of speech and freedom of the press such nastiness has been thought previously to be protected by our Constitution. Helping the drug-addicted is nice and necessary, but just how 750 hours in the company of Leona Helmsley will help anyone is beyond me.

I've more, but the blackboard awaits.

Contributing Editor David Brudnoy is WBZ *Radio's late-night talk host, film critic for the Tab newspapers in Massachusetts, and a TV commentator.*

THERE COULD BE MORE POLLUTION IN THESE FILES THAN ANY PLACE IN THE U.S.



If you don't want polluters to benefit from your investments, call us. We keep detailed records to make sure you get market rate interest on a fund that's as clean as the world you'd like to live in.

1-800-533-3863

WORKING ASSETS® MONEY FUND
THE LARGEST SOCIALLY RESPONSIBLE MONEY MARKET FUND IN THE U.S.

WORKING ASSETS MONEY FUND
230 California Street, San Francisco, CA 94111

Please send me a free prospectus with more complete information about **Working Assets Money Fund**, including fees and expenses.

Name_____
Address_____
City_____
State_____ Zip_____
Telephone (____) _____

Please read it carefully before you invest. $1,000 minimum. Distributed by Working Assets Limited Partnership. R40

You Are What You Read

Color Choice:	*Item Description:*	*Sizes:*
Apple Red	Polo Shirt $24.50 (2.25)	Medium, Large
Snow White	Tee Shirts $12.50 (2.00)	Extra-Large

Please add amount indicated in parentheses for shipping per shirt shipped. CA res., add applicable sales tax.

Item	Qty.	Color	Size	Cost

ORDER BY PHONE! 415/657-2658 (800/562-2658 Outside California)

GRAND TOTAL ____

Please print
NAME_____
ADDRESS_____
CITY_____ STATE_____
ZIP_____ PHONE_____

Mail this coupon with check or m.o. to:
The Apparel Offer 42816 Osgood Rd.
Fremont, CA 94539
Offer good in USA only. No PO Boxes, please.
Allow 4 weeks shipping. © 1989 identity associates
MasterCard & VISA Accepted

Satisfaction Guaranteed

BUT FOR THE GRACE OF GOD

BY JOE QUEENAN

A bag person has ignited an unprecedented furor by disclosing that she spent two weeks last summer masquerading as a TV news anchorwoman.

Gert Cook, who has lived on the streets of New York for the past seven years, recently published an article in a woman's magazine recounting her experiences as a TV anchorwoman for a New York City television station last August. She says that the project grew out of an interview with the Home section of the *New York Times* in which she was asked to discuss furnishing "alternative spaces." In the course of the interview, Cook said how very lucky bag people were to live such carefree lives and wondered if perhaps she and other homeless people didn't have a tendency to take things for granted.

"Think of all those poor unfortunates out there who don't have it as lucky as we do," Cook said at the time. "Think of the mujaheddin. Think of the starving children in India. Think of all those TV anchorpersons."

Shortly thereafter, a woman's magazine asked Cook if she would be willing to shed her grimy rags and slovenly hairstyle and masquerade as a TV anchorwoman. Though convinced that she would be pilloried by many of her peers for doing so, she finally agreed.

Arrangements were then made for Cook to appear twice nightly for a fortnight on an evening news program in New York. Every effort was made to ensure that Cook's experiences would match those of the average TV anchorperson and that not an ounce of the humiliation such unfortunates routinely experience would be spared.

"I knew it would be bad, but I really had no idea how demeaning an anchorperson's life could be," says Cook. "Having to wear a frilly bow. Having to rehearse chuckles with a stand-up meteorologist. Having to feign knowledge of tennis players named Slobodan. And having to open the program every night with the words, 'Eleven children were burned to a crisp in a crowded Brooklyn apartment while their drunken parents were out playing poker last night, but that's not the big story. The big story is: Woody Allen's shooting on 72nd Street, where our own Cindy Barbish caught up with him.' "

Cook also mentions some of the occupational hazards of the profession, such as the Washington, D.C., anchorwoman who sued the station after being forced to interview Madonna, Princess Di, and Dr. Joyce Brothers back to back.

Since the article appeared, Cook has been lambasted by bagpeople from all ends of the political spectrum. The message has been uniformly derisive: Cook is a grandstander, a media pawn, a phony, a consultant.

It is known, for example, that Cook has already been approached by ranking members of both the Democratic and Republican parties who are considering registration drives to get out the oft-forgotten bagperson vote. Cook has also received overtures from a number of fashion designers interested in developing a line of glitzy but proletarian evening apparel evoking the Eurotrashbag look.

At least one major cigarette company is considering a new niche product targeting bagperson smokers who favor a low-tar, menthol cigarette. Last but not least, Cook has been offered a job as a senior editor at *U.S. News & World Report*. To date, she has not accepted any offers, announcing plans to return to full-time bagladyship imminently.

Yet Cook refuses to apologize for her masquerade, and has thus far refused to leave her dwelling in a sparsely furnished luggage locker in Grand Central Station, despite threats on her life.

"Bag people tend to have blinders on, never worrying about the other guy," says the irrepressible ne'er-do-well. "But my two weeks as a TV anchorperson have given me a whole new perspective on life. I realize now that, but for the grace of God, any one of us could wake up one morning and find ourselves behind a TV camera anchoring a local news program. We're all standing right there on the edge of the abyss."

Joe Queenan is a free-lance writer in Tarrytown, New York. His column will appear monthly.

SCOTT WEBER

Is Freedom a "Constitutional Right"?

BY MICHAEL A. ROSENHOUSE

The Rights Retained by the People: The History and Meaning of the Ninth Amendment
Edited by Randy E. Barnett, Washington, D.C.: Cato Institute, 416 pages, $22.95

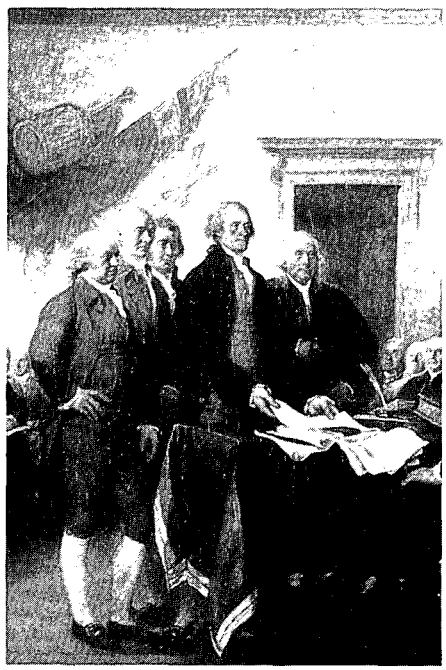
Suppose Congress or some state legislature passed a law requiring people to get up every morning at 5:00. Would there be any legal remedy?

The Bill of Rights protects a few specific freedoms and rights, but it does not say that people have a right to sleep past 5:00 A.M., or to play computer games, or to keep a diary.

"Rights" tend to be asserted and articulated only when a government takes it upon itself to dictate to others what they may or may not do. When that happens, with some luck, the prohibited activity will become protected as a legal right; and the formulation of the right will serve as a kind of historical reminder that somebody once tried to impose his will on others in a particular way. Abortion may be viewed as something of a paradigm of an unanticipated right: At the time the Constitution was adopted, it was not a known "right," but it did not have to be; as Justice Harry A. Blackmun pointed out in *Roe* v. *Wade*, there was no law against it.

We are accustomed to calling our most important rights "constitutional rights." But to use the phrase in that way is unfortunate. It is also inaccurate, because it implies that rights not enumerated in the Constitution are not deserving of the utmost legal protection, a notion the Constitution itself explicitly denies. Its Ninth Amendment reads: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Until 1965, the Supreme Court had said essentially nothing about the Ninth Amendment. In that year, in *Griswold* v. *Connecticut*, it invalidated a Connecticut statute that banned the use of birth control. The Court found a privacy right in "penumbras, formed by emanations" from several specific guarantees of the Bill of Rights, but Justice Arthur Goldberg wrote a concurring opinion based squarely on the Ninth Amendment. He had the audacity to state a simple, obvious, and yet revolutionary point: "The Ninth Amendment to the Constitution may be regarded by some as a recent discovery and may be forgotten by others, but since 1791 it has been a basic part of the Constitution which we are sworn to uphold."



While Justice Goldberg's opinion caused a stir in the legal academy and generated a cottage industry of Ninth Amendment scholarship, the amendment has continued to be largely disdained by the Supreme Court. Where it has granted protection to rights not strictly enumerated in the Constitution, the Court has done so by deriving them from rights that are, sometimes torturing reason in the process.

For the express purpose of "clearing a path for the Ninth Amendment," Randy Barnett, a law professor at Chicago-Kent College of Law, has collected a series of thought-provoking essays by 20th-century constitutional scholars, including one by Norman Redlich that anticipated Goldberg's opinion, and combined these with some primary-source material.

The primary sources are scanty, but as John Hart Ely points out, this doesn't really matter: "There isn't much legislative history bearing on the Ninth Amendment, but what there is unsurprisingly confirms that one of the thoughts behind it was the thought that its terms convey."

According to Edward Corwin, the Ninth Amendment embodies John Locke's eternal principles of justice, which are based on human dignity. Those principles outrank the rights explicitly described in the Constitution. Echoing Locke and anticipating Richard Epstein's important 1985 work, *Takings: Private Property and the Power of Eminent Domain*, Corwin, writing in 1928, explains that "[n]ot even the majority which determines the form of the government can vest its agent with arbitrary power, for the reason that the majority right itself originates in a delegation by free sovereign individuals who had 'in the state of nature no arbitrary power over the life, liberty, or possessions' of others."

The Constitution therefore owes its very legitimacy to the Ninth Amendment. Thus, to Corwin, along with Knowlton Kelsey, Bennett Patterson, Eugene Van Loan III, Calvin Massey, and Simeon McIntosh, the Ninth Amendment reflects the founders' belief in "natural rights."

Using a more modern vernacular to make a similar point, Barnett compares the inclusion of the Ninth Amendment in the Constitution to putting life boats and life preservers on a ship that is supposed to be unsinkable. Barnett suggests that the Ninth Amendment be viewed as a "rights preserver"; it creates a presumption that in pursuing happiness persons may do whatever is not justly prohibited. In the absence of such a presumption, he warns, we are left with a presumption that the government may do whatever is not expressly prohibited.

Such a broad interpretation of the rights protected by the Ninth Amendment seems bound to lead to the invalidation of one law after another, and it is precisely this prospect that seems to terrify majoritarian conservatives. So Russell Caplan, whose views have received the support of Robert Bork (see *The Tempting of America: The Political Seduction of the Law*), agrees that the Ninth Amendment reflects natural-law philosophy but says that philosophy tells us that "individuals have a right to be governed by representatives whom they have chosen." Locke might have been amazed. Nevertheless, according to Caplan, the Founders were only referring in the Ninth Amendment to rights that were protected by state governments.

Raoul Berger, author of *Government by Judiciary* (1977), offers a similar view. Expressing dissatisfaction with the Supreme Court's thwarting of popular sentiment in its decisions on busing, affirmative action, the death penalty, and criminal-law enforcement, he worries about the impact of a vigorous Ninth Amendment: "Justice Goldberg would transform the ninth amendment into a bottomless well in which the judiciary can dip for the formation of undreamed of 'rights' in their limitless discretion, a possibility the Founders would have rejected out of hand."

The Founders, one could hope, were concerned more about undreamed-of encroachments than undreamed-of rights. But a primary problem of current political discourse is that so many of the discussants—too embarrassed, bored, or otherwise preoccupied to acknowledge the importance of freedom and private property—have lost sight of the distinction between liberty and rights on the one hand and claims and encroachments on the other. Thus, Simeon McIntosh defines rights as claims created by a government, proposing only a moral balancing test to distinguish between those that deserve protection and those that do not. And Charles Black all but proposes that welfare claims be constitutionally protected.

There is nothing inherently confusing about the language of the Ninth Amendment. The amendment does not specify the rights to which it is referring, but it does not limit them, either. It does not expressly give courts the authority to enforce any of these rights, but the Constitution does not operate that way; that is, it does not allocate individuals' rights to different branches of the government for enforcement. It is not all that complicated: Congress makes the laws, the president executes them, and the courts, under Article III, decide "cases and controversies." Of course, they must decide the cases and controversies *in accordance with* the Constitution; that is the point.

These stimulating essays show that while the Ninth Amendment might be abused, it need not be, and that the historical neglect of that amendment by the judiciary is an extreme injustice and misfortune. As Barnett suggests, if the Founders did not specifically anticipate that the amendment would be enforced by federal courts, neither did they anticipate the extent to which governments would infringe on individual liberty.

Michael A. Rosenhouse, a member of the Illinois and New York bars, writes frequently on legal and political matters.

An Angry Young Man Grows Up

BY CHARLES OLIVER

Harlan Ellison's Watching, by Harlan Ellison
Los Angeles: Underwood-Miller, 514 pages, $29.95

Harlan Ellison isn't your typical movie critic, screenwriter George Kirgo warns us in the foreword to *Harlan Ellison's Watching*. And this, I might add, isn't your typical collection of reviews. Although the reviews in *Harlan Ellison's Watching* span a 25-year period, they are consistently provocative and unique. Consider this from Ellison's review of *Joe*: "At the end of the film, it took my director friend, Max Katz, and his lady, Karen, to help me up the aisle. I could not focus. I was trembling like a man with malaria. There was a large potted tree on the sidewalk outside the theater. I managed to get to it, and sat there, unable to communicate, for twenty minutes. I was no good for two days thereafter."

Or maybe this from his review of the Tom Selleck film *Runaway*: "At the end of the film...Selleck and [Cynthia] Rhodes have fallen in love. Both are cops, and both have performed athletically and competently throughout the story. But as they kiss, Selleck says to her, 'Do you cook?' She answers, 'Try me.' Apart from the grating cliché of 'try me'...and the recidivist resonance of times past...the film prominently includes Lois, a cook/babysit-

ANNE FISHBEIN

Harlan and Susan Ellison: A thoughtful but passionate critic.

ter in Selleck's home. So Ms. Rhodes should have replied with a line something like, 'I don't have to; Lois can do it. I can fuck; Lois can't do that.' "

Ellison is best known as a short story writer, one of the most important of the "New Wave" of authors who revolutionized science fiction back in the 1960s. But for over 25 years he has lived in Los Angeles and worked, from time to time, as a writer in the television and movie industry, winning the Writers' Guild award for best teleplay more often than any other person. Thus, he has considerable knowledge of the inner workings of Hollywood, which is fortunate, because his first rule of criticism is that the critic know something about the art he critiques. ("In my ugly, Elitist opinion we are *not* all entitled to pass on our opinions; we are entitled to pass along our *informed* opinions.") His second rule is that the critic must love the medium he reviews, and Ellison's love of film is evident in every review in this collection.

As in his fiction, Ellison writes with a self-consciously hip style, filled with anger, sadness, humor, and often-painful autobiography. Above all, he brings passion to his work. And as in his earlier collections of television criticism, *The Glass Teat* and *The Other Glass Teat*, the reviews in this book often digress into lengthy commentary on Ellison's sex life, the movie industry, literature, the American educational system, modern youth, and politics.

Leaving aside the subject of his sex life, Ellison is least interesting when he discusses politics. Here he clearly violates his prohibition against uninformed opinion. Take, for example, this defense of "common sense" from the introduction: "Guns are bad things and ought to be eliminated entirely. Rock cocaine will fuck you up and to hell with how seriously we interfere with the economy of Latin American countries whose ability to repay American bank loans is dependent on the drug crop. Abortion is a matter of individual conscience and piss on those who deflect the arguments with ancient and creaking religious obsession."

Not too long ago, Ellison squared off in the pages of *Playboy* against David Horowitz and Peter Collier, debating the legacy of the 1960s. Ellison, of course, has had no second thoughts about the '60s. Indeed, given his shallow, almost ritualistic defense of the liberal agenda, it isn't clear that he actually had first thoughts.

Ellison is on much more solid ground when he discusses things he knows. For instance, the film industry itself. Ellison's reviews are full of "inside Hollywood" anecdotes. His story about the bigshot television producer who tried to sell one of the networks on an all-white version of *The Wiz* is a scream. And if you ever wondered who those people in the rec room scene in *Star Trek—The Motion Picture* were, and who they had to know to get there, Ellison's the man you want to read. But it isn't all juicy gossip; Ellison even does a little muckraking, exposing some of Hollywood's little white lies. For example, no matter what studio publicists say, *The Emerald Forest* is not a true story and *Ladyhawke* is not a

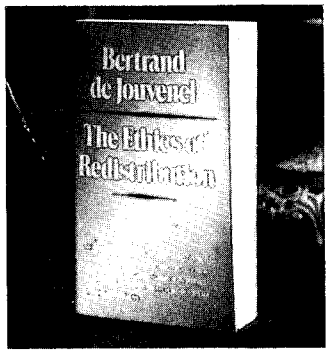
NEW FROM **LIBERTY FUND**

THE ETHICS OF REDISTRIBUTION

by Bertrand de Jouvenel
Introduction by John Gray

The distinguished French political philosopher Bertrand de Jouvenel shows, through many varied and insightful arguments, that redistribution is ethically indefensible for, and practically unworkable in, a complex society.

"After reading this insightful and charming classic, no one can believe that there are any arguments left for redistributionists. De Jouvenel devastates every possible claim for either logic or morality in their position, which in spite of much tendentious moralizing, is revealed as pure authoritarianism, no more and no less."
—*Henry Manne, Dean, School of Law, George Mason University*



98 + xviii pages. Foreword and preface to the 1st Edition, introduction, appendix, index.
Hardcover $12.00
0-86597-084-x
Paperback $ 5.00
0-86597-085-8
Liberty*Press*, 1989

ALSO AVAILABLE

WHAT SHOULD ECONOMISTS DO?

By James M. Buchanan
Preface by H. Geoffrey Brennan and Robert D. Tollison

Sixteen essays on the relevance of economics from the 1986 Nobel Prize winner in economics.

292 pages.
Liberty*Press*, 1979
Hardcover $8.00
Paperback $3.50

Please send me:

Quantity Ordered	Title	Edition	Price	Amount
	The Ethics of Redistribution	Hardcover	$12.00	
		Paperback	5.00	
	What Should Economists Do?	Hardcover	$ 8.00	
		Paperback	3.50	
		Subtotal		
		Indiana residents add 5% sales tax		
		Total		

We pay book rate postage.
Please allow approximately 4 weeks for delivery.
All orders must be prepaid in U.S. dollars.

☐ Enclosed is my check or money order made payable to Liberty Fund, Inc.
☐ Please send me a copy of your current catalogue.

Name _____
Address _____
City _____
State/Zip _____

Mail to: Liberty Fund, Inc.
7440 N. Shadeland Ave.
Dept. BB109
Indianapolis, IN 46250

medieval legend; both are products of a screenwriter's imagination.

And of course, there are the reviews themselves. Too many critics merely tell us their emotional reaction to a movie. Their "reviews" amount to nothing more than "Yeaa, good flick!" or "Boo, bad movie." Ellison gives us well-reasoned arguments supporting his views. You always get the feeling that Ellison is an intelligent, well-informed lover of film. And that is fortunate, because his taste in films is decidedly offbeat. While I agree with him that *2001: A Space Odyssey* is vastly overrated and *Star Wars* a bore, I find it difficult to believe that he thought *Lolly-Madonna XXX* (a feudin' hillbillies flick) was "compelling." And no matter what Ellison says, John Carpenter's remake of *The Thing* is much better than the original.

But this brings up an interesting point. There is, particularly in the later reviews, a strong streak of nostalgia in Ellison's criticism. Nothing seems to be as good as it was when he was a child. The theaters are smaller; the popcorn less fresh; the movies less magical. Remakes never hold a candle to the originals.

And it is particularly strange to see Ellison, onetime defender of the counterculture, railing against today's youth ("tv zombies brainwashed by thunderbolt commercials saturating primetime, MTV drones who can't get enough Madonna or Prince on the small screen, knife-kill flick devotees") for making hits of ghoulish slasher films such as *Friday, the 13th*, dumb sex comedies such as *Bachelor Party*, and remakes of classic films such as *The Big Clock* (*No Way Out*) and *Mr. Blandings Builds His Dream House* (*The Money Pit*).

Indeed, when he argues, quite persuasively, that film audiences have become less literate in the language of cinema and have lost touch with their cultural heritage, Ellison sounds remarkably like Allan Bloom or William Bennett. Could it be that science fiction's angry young man has become film criticism's crotchety middle-aged curmudgeon?

Charles Oliver is assistant editor of REASON.

Qualified Endorsement

BY E.S. SAVAS

The Privatization Decision: Public Ends, Private Means, by John D. Donahue
New York: Basic Books, 264 pages, $22.95

Privatization has been hotly debated ever since American scholars and local government officials (including this reviewer) started advocating the concept as early as 1969. In the wake of empirical studies, proponents of privatization argued that the private sector could more efficiently provide some services typically offered by the government. Since that time, privatization has been widely implemented in the United States at the local level and has become a prominent feature of the Thatcher government in Great Britain.

Now John D. Donahue, professor of government at Harvard University, joins the debate with *The Privatization Decision*, which focuses on one form of privatization in the United States: government contracting for goods and services from the private sector. Although he gets off to a wobbly start with a narrow definition of privatization and an erroneous account of its history—he mistakenly claims that the United States imported the concept from Britain during the Reagan era—Donahue has added a thoughtful and well-written book to the growing library of useful works on privatization. He avoids the rhetoric that has characterized some earlier discussions, both pro and con.

In the end, Donahue gives cautious endorsement to the concept. He argues that privatization can work, but that successful contracting requires clear goals, highly specific contracts, sustainable competition among private providers of public services, good monitoring, and proper contract enforcement. While hardly new, this conclusion, presented objectively and coming from one who clearly values public purposes, may be especially persuasive to those who might otherwise instinctively reject privatization.

Donahue seems ambivalent about the fact that lower labor costs account for much of the difference in efficiency between government agencies and contractors.

Donahue elaborates at great length—repetitively but usefully—on the well-known pitfalls in successful contracting. For example, ensuring competition may not be easy: "Private contractors may control land, machinery, or other assets that are essential to providing some service. Or *intangible* proprietary assets—inside information, specific expertise, or even camaraderie with their government counterparts—can give incumbent contractors advantages that entrench them against replacement. Or performance may not be sufficiently measurable to inspire real competition on the basis of value for money. Finally, corruption, cronyism, indolence, or incompetence on the part of government officials could mean that competition will not exist even when it is technically practicable."

Summarizing these difficulties, he notes, "*Public versus private* matters, but *competitive versus noncompetitive* usually matters more."

Donahue concludes, anticlimactically, that "a substantial portion" of state and local services can be contracted success-

fully. While this is ground often covered elsewhere, his lucid writing makes his presentation worthwhile.

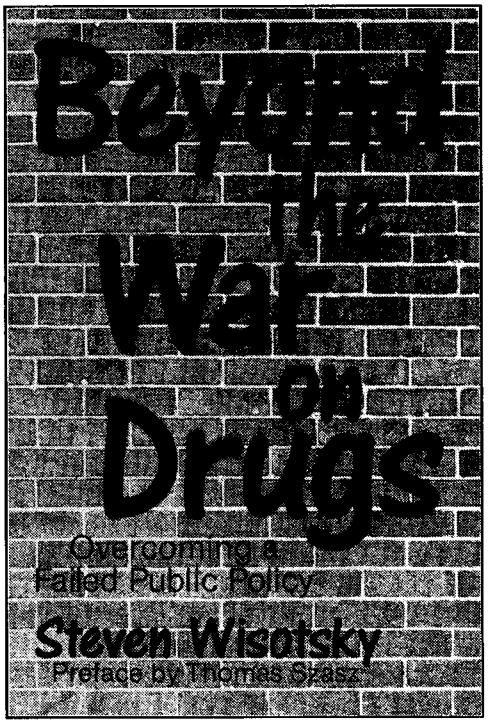
He dismisses the theoretical basis for deciding when (that is, for which goods and services) a government role may be necessary, instead concluding that politics, not theory, rules. He provides excellent discussions of military procurement and job training that could easily stand alone.

Donahue is at his best in his articulate political-science treatment of voting, representative government, and interest groups, and in his discussion of the problems of principals and their agents. Unfortunately, he contrasts civil servants pejoratively with private-sector "profit seekers," when "rent seekers" might more fairly be used for the former or "contractors" for the latter. Nevertheless, he offers an excellent discussion of civil service bureaucracies and why government agencies perform poorly.

He expresses concern that the political effectiveness of private interests "imperils the integrity of the spending agenda." What or whose spending agenda? one can legitimately ask, and even, What integrity? Donahue cites the corrupt awarding of contracts for processing parking tickets in New York City. Although he notes the absence of competitive bidding in this case, he doesn't make enough of this lapse. The absence of competitive bidding violates every tenet of contracting, and no responsible advocate of privatization would condone it. And Donahue is probably unaware of the little-known fact that New York is collecting more revenue through the corrupt contract, despite the kickbacks, than it was when a municipal agency was handling the activity; this is no justification, of course, but it is ironic.

Also problematic is Donahue's ambiguous discussion of sometimes-high civil service pay scales. He implies that overpaying—or having too many—civil servants to collect solid waste may be good public policy (as a welfare program). Yet finally he shies away from such an assertion. He seems ambivalent about the fact that lower labor costs account for much of the observed difference in efficiency between government agencies and contractors, as though the fact that contractors can control these costs better than politicians should not be counted as an indisputable advantage of privatization by contract. Ultimately, Donahue does accept this as a virtue of contracting.

At times, Donahue succumbs too readily to the assumption that only the private sector is motivated by self-interest that might compromise service. For example, he raises the usual fear that private prison firms may push for more and longer prison sentences. Why not also assume such behavior from the unions that represent public corrections officers? Do private street-sweeping contractors encourage littering, and do waste-collection



Beyond the War on Drugs

Overcoming a Failed Public Policy

by Steven Wisotsky

Foreword by Thomas Szasz

For decades, the American government has waged what is termed the "War on Drugs." Wars are destructive by definition, and this one is no exception; the supply of contraband drugs has not been significantly reduced, while the social, political, and economic fallout has nurtured the growth of a huge underground drug economy that finances narco-terrorism and subverts the governments of Latin America. This "war" has produced the *worst* of both worlds: a rising tide of illegal drugs and a corrosive subculture in which millions of people regularly and casually defy the law.

Should drugs be legalized? Lawyer and activist Steven Wisotsky masterfully documents the failure of the war on drugs, rejecting the popular nostrum of *more* laws, *more* funding, and *more* prisons. He repudiates the obsessive preoccupation with drug control, recommending systems that acknowledge and utilize the power of free choice and indivudal responsibility. This provocative and controversial book presents a powerful case for decriminalization—or legalization—of drugs in order to halt society's doomed, destructive war of enforcement.

300 pages • Paper $15.95

At better bookstores, or order directly from

Prometheus Books

Toll free (800) 421-0351 • In NY State (716) 837-2475

Or write to 700 E. Amherst St. • Buffalo, NY 14215-1674

Add $2.50 postage & handling; NY State residents add sales tax

#30034

firms promote throwaway packaging and oppose recycling? On the other hand, Donahue properly dismisses the absurd but oft-cited argument that a company badge on a guard's uniform will somehow confuse a prisoner about the fact that it is society that is punishing him for his criminal behavior.

Sensitive readers will detect occasionally derisive asides aimed at privatization advocates, and the author indulges in a bit of Reagan bashing. Generally, however, Donahue is as objective and free of rhetoric as this charged subject allows. Nonetheless, he deserves a stern rebuke for at least one passage that borders on the scurrilous. He speculates idly and with no basis whatsoever that a respected researcher, Barbara Stevens, was pressured by Reagan administration officials to modify her study findings so as not to antagonize municipal labor groups. There is no truth to that mischievous concoction, Stevens asserts indignantly, and I believe her. (Why didn't Donahue ask her?) And anyone familiar with the Reagan administration would find the charge laughable. (Remember the air-traffic controllers?)

Donahue's book offers one basic message: Contracting requires prudence and pays off only in special circumstances. The author is right, but many services satisfy these conditions. One can therefore debate how "special" and just how limiting these circumstances really are.

Donahue stresses the difficulties of contracting wisely and well, but he doesn't stress the counterpoint that government agencies also find it difficult to manage their own forces well. He warns that it is impossible to contract a service properly if government does not specify what it wants; but if it cannot so specify, how in the world can it do the work in-house either? Nevertheless, despite the limitations of his discussion, Donahue covers previously explored territory well, in depth, and from a fresh perspective.

E.S. Savas, director of the Privatization Research Organization, Baruch College, at the City University of New York, is the author of Privatization: The Key to Better Government.

The Writing of Life, by Annie Dillard, New York: Harper & Row, 111 pages, $15.95. Annie Dillard's writing has often met Virginia Woolf's challenging definition of what art should do for the individual. "Nature, in her most irrational mood," Woolf wrote in "A Room of One's Own," "has traced in invisible ink on the walls of the mind a premonition which these great artists confirm, a sketch which only needs to be held to the fire of genius to become visible. When one so exposes it and sees it come to life one exclaims in rapture. But this is what I have always felt and known and desired! And one boils over with excitement...shutting the book even with a kind of reverence as if it were something precious, a stand-by to return to as long as one lives."

Dillard has written several precious passages of this kind; they have brought her many awards, including the Pulitzer Prize for *Pilgrim at Tinker Creek*. She has given her reading audience a new perspective through her extraordinary gift of observation. Parts of her most recent book, *The Writing of Life*, meet Woolf's standard. And that is quite an accomplishment given that she has chosen one of the most banal topics—writing.

She set out, in her own words, to "recount what the actual writing feels like—feels like inside the mind at work"—a daunting challenge. Dillard imparts practical information, tales of the writing life, and one metaphor after another in her effort not only to capture the mind at work, but to gracefully illustrate the word at work as well.

As dazzling as these passages are, the book never gets beyond them—the whole is not greater than the sum of its parts. The book is little more than a well-written string of anecdotes, lacking any larger theme. The writing is at times so rich that the reader overlooks the book's shortcomings. But those familiar with Dillard's other works will feel a little frustrated. As skillful as Dillard is at musing on a subject, her observations and descriptions set her apart from other writers. But in this book, she seems confined to her office, and her writing sometimes seems cloistered as well.

The last piece in the book transcends these problems. Dillard gets out into the world and casts her gaze at a stunt pilot who uses the "plane inexhaustibly, like a brush marking thin air." The chapter works as a whole, with its own momentum and metaphor. Through those brush strokes, Dillard shows how art works: "He controlled the tension of the audience's longing. You desired, unwittingly, a certain kind of roll or climb, or a return to a certain portion of the air, and he fulfilled your hope slantingly, like a poet, or evaded it until you thought you would burst, and then fulfilled it surprisingly, so that you gasped and cried out." This is quintessential Dillard—she observes ingenuously; she reports imaginatively; and she writes expansively.

The Writing Life may not be Dillard's best work, but it still showcases some of her talent. And even though a reader may close the book and feel slightly cheated, he will not leave empty-handed. He will take with him long passages like this one, in which she describes what it's like to be in an airplane that barrel rolls: "The g's slammed me into my seat like thugs and pinned me while my heart pounded and the plane turned over slowly and compacted each organ in turn. My eyeballs were newly spherical and full of heartbeats. I seemed to hear a crescendo; the wind rolled shuddering down the last ninety degrees and settled on the flat. There were the islands, admirably below us, and the clouds, admirably above. When I could breathe, I asked if we could do it again, and we did. He rolled the other way. The brilliant line of the sea slid up the side window bearing its heavy islands. Through the shriek of my blood and the plane's shakes I glimpsed the line of the sea over the windshield, thin as a spear." Undoubtedly this is what Virginia Woolf had in mind when she described the stand-bys that a reader will return to as long as he lives.

—Fern Schumer Chapman

Down and Out in America: The Origins of Homelessness, by Peter H. Rossi, Chicago: University of Chicago Press, 247 pages, $15.95. Peter Rossi is a brave man. In 1986 Rossi, a sociologist at the University of Massachusetts, Am-

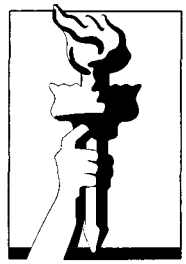
herst, led a team of researchers in an effort to determine how many homeless people there were in Chicago. He concluded that in the winter of 1986, there were about 2,300 homeless people in Chicago, one-tenth the number claimed by homeless lobbyists in that city. For his honesty, Rossi was intellectually mau-maued by homeless advocates.

Rossi has used his homeless study as the basis for a book that is both valuable and wrongheaded. The most interesting parts are his history of homelessness in America, enabling the reader to compare today's homeless with their counterparts in the 1930s and 1950s. Rossi even explains where the term "Skid Row" comes from. (It derives from Seattle's "Skid Road," the area where logs were dragged into ocean-going barges.) Also useful is an annotated bibliography of every population estimate of America's homeless conducted through 1988.

Rossi is, however, a liberal. Even though he believes that the number of homeless Americans is probably below 250,000, he argues that millions more Americans might become homeless because they earn less than $4,000 a year. Nothing pleases a liberal sociologist more than new groups to spend money on, so Rossi proposes to expand welfare spending by $30 billion annually to prevent homelessness, chiefly through tax-funded grants to anyone who provides shelter to someone over age 22 who earns less than 75 percent of the official poverty rate—a tasty subsidy to parents, graduate students, participants in the underground economy, etc. It's ironic that Rossi was so thoroughly mugged by the homeless lobby, because his "solutions" for homelessness are far more costly than anything the lobby itself has, so far, proposed.

If one ignores his conclusions, there is much that is valuable in *Down and Out in America*. Like William Julius Wilson, Rossi is an intelligent, honest liberal from whom one can learn even when he is wrong. *Down and Out in America* is a book that must be read by anyone seriously interested in the problem of American homelessness.

—Martin Morse Wooster



Provide a Legacy for Freedom

When planning your estate and writing your will, consider a bequest to the Reason Foundation. *Reason* magazine and other activities of the Foundation are exposing millions of people to the importance of free minds and free markets.

For more information, write:
Reason Foundation,
2716 Ocean Park Blvd.,
Suite 1062,
Santa Monica, CA 90405.
(213) 392-0443.

CHIEF FINANCIAL OFFICER

The Reason Foundation, publisher of REASON, is seeking a senior manager to supervise its business operations. Reporting directly to the president, this person will supervise business and support staff, manage the budget process, analyze publishing and direct-mail marketing projects, and assist with grant proposals.

Requirements include experience managing a professional workforce, experience in financial management of a small organization, and commitment to the philosophical principles of individualism and free markets.

Desirable factors include an MBA, experience in publishing or direct mail, and experience in fundraising. If this sounds like you, please submit a detailed resume to:

Robert W. Poole, Jr., President
Reason Foundation
2716 Ocean Park Blvd.,
Suite 1062
Santa Monica, CA 90405

"The best-spent week of my life. An intellectual feast!"

—Mary Saucier, W. Roxbury, Mass.

The Cato Institute's
Summer Seminar in Political Economy
Dartmouth College
Hanover, N.H.
June 30-July 7
Dominican College
San Rafael, Calif.
July 14-21

The Cato Institute's Summer Seminar has become internationally renowned in classical liberal circles. People committed to the ideals of a free society make it a point to attend at some point in their lives. Seventy-five participants—students, businesspeople, and others from around the world—join the leading thinkers in the philosophy of liberty—including **Charles Murray, Ralph Raico, David Kelley, Mario J. Rizzo,** and special guest lecturers—for an interdisciplinary feast of knowledge during 24 lectures and daily discussion groups. Make plans now to attend this once-in-a-lifetime event!

For information and application write or phone:
Cato Institute, Dept. R, 224 Second St. S.E., Washington, D.C. 20003. (202) 546-0200
Cost of seminar is $695; students $195
Some scholarships available

CATO INSTITUTE

SAVE THE PLANET, DUDE

BY THOMAS W. HAZLETT

Perhaps the zenith of conspicuous ideological consumption dances on that metric of modern society, rock video television. On VH-1, Greenpeace spots now dot the programming day, each featuring a selected rock star and the environmental degradation of his/her choice. The overt message is that The System is using up everything real fast, and the subliminal one, "My, we are a bunch of greedy rotten American capitalists, aren't we."

The truly wonderful flash is that, if one had to define the Consumer Maximus of modern America, it would be Rock Star Idol. A life of uninterrupted fame and adulation, unlimited quantities of cash, liquor, parties, women/men/name it, hallucinogens, penicillin, first-class airfare, and hotel suite trashing. All without so much as three units of college.

As if to over-drive the point home, the Greenpeace spots have been surrounded by a big VH-1 promo contest to select the lucky winner of...*36 Corvettes*. Now, kids, if you don't get this little joke, you're just not paying drug-free attention. We're talking Vettes; we're talking four mpg; we're talking 36, all to one gluttonous winner, here. Mindless materialistic consumption driving the global environment to the brink of destruction? Vrrrrrrrroooooooommmmmmmm.

That the issue of environmentalism is exploited for the obscene personal consumption of a lucky few is not to say that very real degradations don't loom. Environmental problems stem from a "tragedy of the commons." Where rules of property are not hard and fast, rational people tend to make inefficient choices. Your action may create costs for others that you do not have to pay for (or even be aware of). Incentives for good behavior are screwy where the external cost problem predominates.

Air and water are fouled, for example, because cars and factories can pollute without costs—no owner of the atmosphere or the oceans spontaneously protects these resources from harm. The solution is the development for environmental purposes of market forces that produce the entrepreneurship so solubrious in our consumption-filled lives. Turning environmentalism into a morality play about the "limits of growth" or the vulgarity of middle-class lifestyles is a fraud: Real environmentalism is about producing better goods more efficiently by taking *all* costs into account.

Property rights are essential because they determine the incentive structure of a social organism. Where there's a payoff associated with conserving and nurturing, we get more of it. The aim of environmental policy, then, should be to fix the defects in our legal system so that environmentally sound actions are rewarded and degrading activities punished automatically, without having to call a rally and a 250-million-person consciousness-raising session each and every time a nasty by-product of modern life is discovered. This is not because I do not like rallies, or because I fail to realize that they remain an excellent place to meet women. It is because mass meetings are public policy Jokers, and political solutions are environmentally degrading.

Take the case of the Clean Air Act of 1977. Brookings Institution economist Robert Crandall has shown that the ecological effects of the measure were microscopic, despite a $3.5-billion price tag, because of the influence of interest group politics. The simple and cheap way to clean up the air would have been to reduce the use of high-sulfur coal in electrical generation. This could be accomplished by simply setting pollutant standards or (better yet) taxing utilities per unit of pollution emitted and leaving it to the profiteers to figure how to efficiently minimize costs. But the power brokers of the House and Senate, prodded by Pennsylvania and West Virginia coal-mining interests and the UAW, held the legislation by the throat. They succeeded in mandating extremely expensive scrubber technology, whose chief virtue is keeping utilities from using relatively clean, low-sulfur coal from Western states.

Skillfully, the lawmakers devised a solution to the typical trade-off problem: Here, the economy and environment *both* lost. That the "environmental lobby" actually endorsed this ecological racketeering smokes out their desire for power over cleanliness. Save the Planet? "Well, I know that's what my Hard Rock Cafe jacket *says*, but we've got this deal cooking with Senator Byrd, and...."

Devising a set of consistent rules that systematically direct human beings to do the right thing, environmentally speaking, is a noble pursuit. But it entails far fewer chuckles than Madonna or even Motley Crüe is generally accustomed to enjoying. Devising efficient, hard-headed pollution taxes and affixing private rules for degradable properties is more than most any Material Girl can handle.

We suffer from two sources of external costs. One is pollution of the environment. The other is pollution of the environmental debate. So long as Rock 'n' Rollers with Vettes and ecology lyrics are the champions of the cause, environmentalism will continue to feel so fine. But the air, land, and water will continue to get dirtier. We'll come to grips with external costs when squirrelly guys in thick glasses get around to engineering ecologically superior mouse traps on the orders of grumpy bosses in biodegradable polyester suits, glaring at their CPAs' bottom lines.

Contributing Editor Thomas W. Hazlett teaches economics and public policy and the University of California, Davis.